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15. Approval of New America School's request for an extension of Subsection 7 per NAC 386.240(1)(Tom McCormack, Education Program Professional, SPCSA) (**Page 219 – Page 220**)
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STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

**S U B J E C T: Approval of the August 24, 2012
and October 18 - 19 SPCSA Board Meeting
minutes**

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: January 8, 2013

AGENDA ITEM: 2

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Kathleen Conaboy, Chair, State Public Charter School Authority

RECOMMENDATION:

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 5 mins

BACKGROUND:

SUBMITTED BY: _____

NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY

October 18, 2012

Nevada Department of Education
Las Vegas Boardroom
9890 South Maryland Parkway,
Suite 221
Las Vegas, Nevada 89183

MINUTES OF THE REGULAR MEETING

BOARD MEMBERS PRESENT:

In Las Vegas:

Kathleen Conaboy
Michael Van
Robert McCord
Nora Luna
Elissa Wahl
Marc Abelman

In Carson City

None

BOARD MEMBERS ABSENT

Robert McCord

AUTHORITY STAFF PRESENT:

In Las Vegas:

Dr. Steve Canavero PhD, Director, State Public Charter School Authority
Tom McCormack, Education Program Professional, State Public Charter School Authority

LEGAL STAFF PRESENT:

In Las Vegas:

Shane Chesney, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE:

In Las Vegas:

Kaide Dodson
Ryan Reeves
Julianna Turley

Jerod Allen
Valerie Blake
Kelly Parker
Mike Kazek
Jon Gardner
Joani Williams
Dennis Shinn
Shantell Newsome
Linda Kiefner
Julie Williams
Joshua Jordan
CJ Bower
Johanna Daivs
Jonay Argier
Ruth Parker
David Calvo
Boone Cragun
Rachelle Hulet
David Sharette
Esther Brown
Kirby Burgess
John Hawk
Connie Jordan
Mark Hesiak
Judi Cuberebla
Kelly Willams
Ercan Aydogdu
Amy Zeiders
Katie Pellegrino
Krish Sen
Kim Comelek
Angie Kleven
Angie Kleuer
Richard Moreno
Marivelle Nunez
Carolyn Starlette
Marlo Tsuchiyama
Linda Destarlais
Lee Iglody
Jeff B.
Margot Allaire
Joe Price
Prasad Nair
Nancy Hall
Lawrence Howell
Hadassa Lefkowitz
Anna Webb

NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY

October 19, 2012

Grant Sawyer Building
Room 4412
555 East Washington Ave.
Las Vegas, Nevada

And

Legislative Building
401 South Carson Street
Room 2135
Carson City, Nevada

MINUTES OF THE REGULAR MEETING
VIDEOCONFERENCED

BOARD MEMBERS PRESENT:

In Las Vegas:

Kathleen Conaboy
Michael Van
Robert McCord
Nora Luna
Elissa Wahl
Marc Abelman
Robert McCord

In Carson City

None

AUTHORITY STAFF PRESENT:

In Las Vegas:

Dr. Steve Canavero PhD, Director, State Public Charter School Authority
Tom McCormack, Education Program Professional, State Public Charter School Authority

In Carson City:

Angel Blair, Education Program Professional, State Public Charter School Authority
Katherine Rohrer, Education Program Professional, State Public Charter School Authority
Allyson Kellogg, Management Analyst, State Public Charter School Authority
Brian Flanner, Administrative Services Officer, State Public Charter School Authority
Danny Peltier, Administrative Assistant, State Public Charter School Authority

LEGAL STAFF PRESENT:

In Las Vegas:

Shane Chesney, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE:

In Las Vegas

Matt Waltz
Jason Klonoski
Carmeta Howard
Denise Dennis
Connie Jordan
Mark Kisling
Delener Mack
Danny Velez
Ethan Teifeir
Evani Thomas
Jacoby Armstrong
Ralena Phillips
Naiani Paliotta
Greg Lockridge
Vernon law
Amy Schlauder
Sheryl Richard
Marivelle Nunez
Lee Miller
Kimberly Rushton
John Hawk
Kathryn Kelly

In Carson City

Molly Walt
Eugene Paslov
Steve Knight
Russell Keglovits
Denise Gillot
Christina Borino
Jamie Borino
David Papke
Kim Vidoni
Donna Wix
Valerie Keglovits
D. Alexandra Prasant
Et. C. Adler
Tammy Lancaster
Johnathan Blose
Mike Torres
Malaynia Torres
Mike Torres

Gwen Nicolli
Lawrence Howell
CJ Bower
Lisa Broman
Suzanne Schulze
Stephanie Parker

CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE; APPROVAL OF AGENDA

President Conaboy called the meeting to order at 8:25a.m. with attendance as reflected above.

Agenda Item - Public Comment

Kimberly Comelek spoke in opposition of Imagine Centennial being approved by the Authority. She said she had sent a binder to staff of information about Imagine Schools across the country. In her testimony she said her personal experience with Imagine Schools Inc. was not positive and similar to many of the stories she included in the information she provided. Her daughter attended Imagine in the Valle (Valle) during the 2010/2011 school year. In May 2011 Kimberly attended a Valle board meeting where she learned her daughter was in jeopardy of losing her school. Imagine had threatened not to renew the lease on the building if the school board did not renew its contract with Imagine Inc. As she understood it, once the Nevada State Board of Education was made aware of the situation and dozens of parents spoke out in anger at a school board meeting, Imagine Inc. backed down, finally agreeing to sever the management relationship and grant a two year sublease of the school property to the Valle board. Kimberly said that what Imagine Inc. had to say publicly, and off the record, to the Valle board and parents was appalling. Kimberly is a business owner in Las Vegas so she understood how business sometimes have to make tough choices, but she felt that Imagine Inc. cared nothing for the children in any of its schools. She said she felt the corporate owners and employees only care for the profit of the company and she felt the material she included in the submitted binder support her conclusion. Kimberly commended the Valle administration for being able to keep the school in the black despite having to pay enormous fees to Imagine Inc. for various services that were never provided. She said the teachers and staff at Valle were managed and trained by Ms. Jordan and were never trained by Imagine Inc. Kimberly concluded by saying Imagine Inc. cannot take credit for the success of the Imagine in the Valle and to claim that Imagine Centennial will be a success by using the same models remains to be seen.

Agenda Item 2 – Approval of August 24, 2012 SPCSA Minutes

Chair Conaboy said that changes needed to be made to the format and substance of the minutes and that no action should be taken until the format and substance of the meeting minutes was agreed upon by the board. Therefore, no action was taken on the August 24, 2012 SPCSA minutes.

Agenda Item 3 – Authority Update

Chair Conaboy informed the Authority that they met with the Superintendent of Public Instruction, James Guthrie, Rorie Fitzpatrick, Deputy Superintendent, and Judy Osgood, policy advisor on education for Governor Sandoval in September. They discussed the overall approach at the state level of education policy for the upcoming 2013 Nevada Legislative session. Dr. Guthrie assured Chair Conaboy that charter school expansion is very high on his agenda. He said he also understands the need for facility funding for Nevada's charter schools. Count Day versus the Average Daily Attendance was discussed with regard to the funding of public schools. There was also discussion to about expanding Teach for America. Authorizing charter schools was also a major point of the discussions. AB 318 was also discussed which is the legislation that put the burden of proof on the charter schools when dealing with Special Education complaints.

Chair Conaboy also met with the Clark County School District because they have Bill Draft Requests having to do with authorizing new charter schools. She said there is some indication that Clark County may lift their moratorium on charter schools and begin authorizing new schools in the near future.

Agenda Item 4 – Director's Report

Director Canavero began by introducing Brian Flanner to the Authority. Brian was hired as an Administrative Services Officer for the SPCSA and would be dealing with financials and budgets both for the SPCSA office and helping SPCSA-sponsored schools with their financials and budgets. Director Canavero also updated the Authority on the hiring status of the Business Process Analyst. Unfortunately, the candidates had decided to not accept the position and he would be opening the position up for recruitment again. He said there may be a

chance the employee would be hired and stationed in Las Vegas to better assist the charter schools in the south with their implementation and use of Powerschool.

Director Canavero then moved on to the 2012 charter application process. He detailed how staff coordinated the application reviews and charter applicant interviews with both internal and external application reviewers. Director Canavero said that the group had been broken up into review teams with him serving as the lead of each team. Each review team reviewed the applications independently and met as a whole to discuss their findings. Then SPCSA staff interviewed the each applicant and brought their findings back to the review team as a whole. From the information compiled through the application review and the interviews, the review teams were able to come to a consensus decision regarding each of the applications received.

Chair Conaboy asked Dr. Canavero how a consensus recommendation is arrived at by the Review Teams. He said that during the review the teams meet when the application is first received. Then each reviewer reviews the application individually to determine if the application Does Not Meet, Approaches, or Meets Standards. After the individual reviews are complete the teams meet again and discuss their findings. From there, the team decides on what they think the best recommendation is and they make that recommendation.

Agenda Item 5 – Consideration regarding the Application Review Team’s recommendation of Doral Academy of Nevada’s charter school application

Director Canavero began by giving background on Doral Academy of Nevada’s application. Doral Academy of Nevada proposes to provide an infusion and integration of the arts into the core curriculum for students in grades K-8. Nevada and Common Core standards are the proposed curricula. Instructional strategies will include teacher modeling, scaffolding, group practice, peer teaching, integration, and practice and review. The educational program of this school is a replication of Doral charter schools located in Florida. The Review Team observed that the Education Program presented in the Doral Academy application was similar to the Education Program presented in the Ben Gamla of Nevada application. The review of the Education Program within the unique context of each school and the Committee’s vision yielded two very different ratings. The Education Program as clarified by the Committee during the Capacity Interview met criteria for approval. Despite the stated emphasis on arts integration into the core curriculum, the application did not sufficiently explain a specific pedagogy for arts infused instruction or provide the emphasis in the curriculum on incorporating art. In general, the curriculum and instructional strategies in the application did not appear uniquely tailored to align with the school’s mission. However, in the Capacity Interview the Committee provided a detailed description of the instructional strategies they intended to see at the school as well as a clear explanation of how arts would be infused into the curriculum. The Committee’s response provided the Review Team with confidence that they would oversee and devote resources to the continued development of the education program at Doral Nevada.

The Committee’s target population study demonstrated an in-depth analysis of how students were currently served within the targeted school location.

The application provided a list of what professional development activities that would occur at the school but did not provide a sense of a comprehensive professional development program guided by a clear and specific vision. When pressed in the Capacity Interview, the Committee was able to generally explain their approach to providing meaningful professional development and acknowledged the need for their principal to work collaboratively with Doral to implement best practices.

The members of the Committee to Form the School (CTF), and the NRS 386.520 membership requirements each one meets, are: Liaison: Joani Zibert-Williams, parent; Jerod Allen; Erin Bedich, educator; Boone Cragun, law; Abram Swenson, accounting; Julianna Turley, educator; and Andre Winslow

According to the board bylaws, the first board would consist of the members of the CTF. The proposed school would contract with two Educational Management Organizations (EMO) to assist with the provision of educational services at the school: Academica Nevada and Doral Academy. The school would not provide distance education courses and/or programs. The school would hire a principal, office manager, fourteen teachers, and three teacher aides. The student:teacher ratio would be 25:1. Three "specialists" and one special education teacher would also staff the school. The application does not identify the school's administrator.

The Operations Plan met criteria for approval because the organizational structure was sound. The Committee intends to contract with Academica Nevada for a range of services related to operations and management. The staffing and human resources plan proposed a viable, if not standard, strategy to recruit human capital to the school and retain effective teachers and leaders. The Committee clarified their proposed hiring practices adding a more rigorous standard to ensure the fidelity of the school's mission within the instructional core and leadership. The Committee conveyed that the arts infusion would provide a strong incentive for teachers and aid in the recruitment of appropriate candidates.

The Committee planned to use Parent Involvement Agreements; such agreements shall not be reason to deny the initial enrollment or continued enrollment of pupils. The proposed enrollment lottery was unclear as described and the Review Team recommended that the Committee clarify which students would be subject to the first year lottery or consider adopting the Authority's model lottery description.

The Committee is commended for including language to clarify how and by whom the board will identify its future members.

Pre-opening budgeted revenue of \$25,000 was uncertain, all yet-to-be-obtained donations, federal grants and/or fundraisers. Budgeted enrollment for years 1 and 2 was 280 and 380 students, respectively, yielding positive fund balances of \$54,334 and \$22,773. No private contributions or grants were budgeted. A breakeven budget was not presented, but contingency plans for unexpected budget shortfalls are discussed. A business manager would not be hired. The principal would be the school's financially responsible employee, including drawing all orders for payment of monies belonging to the charter school.

The Financial Plan met criteria for approval because it contained realistic, evidence-based revenue and expenditure assumptions. The Financial Plan was well constructed and contained the major costs centers associated with sustaining a typical school and presented viable strategies for meeting potential budget and cash flow challenges. Errors did exist between the narrative and actual budgeted figures as well as within the cash flow statement.

The day-to-day financial management of the school would be the responsibility of the principal, apparently in coordination with a person on the office staff with business experience. It was noted that there were no specific requirements outlined in the job description for the principal related to financial management. The structure was heavily reliant upon Academica Nevada, the EMO, for financial management.

Significant expenses were not included in the budget (e.g., certain costs associated with Special Education, costs associated with enhanced professional development, costs associated with gifted and talented programming); however, the Review Team is confident that the Committee has the capacity to ensure the budget is corrected in a manner that does not compromise the integrity of the school's mission.

The Committee to Form Doral Academy of Nevada proposed to enter into two contracts: Academica Nevada, LLC and Doral Academy, Inc. Doral Academy of Nevada proposes to engage Academica Nevada to provide administrative services and support to the school for an initial term of two years. Doral Academy of Nevada would pay Academica Nevada \$450 per FTE student. Doral Academy of Nevada proposed to enter into a trademark license and affiliation agreement with Doral Academy, Inc for a fee of 1% of the per pupil funding that the school receives. In addition to the use of the trademark, Doral Academy of Nevada would be entitled to receive affiliation services such as professional development, training and materials for use.

The proposed contracts submitted with the application appeared free from any of the prohibited provisions specified by NRS 386.562. Academica Nevada, LLC currently has active contracts with two existing Nevada charter schools: Pinecrest Academy and Somerset Academy. Somerset Academy became operational in fall 2011 and Pinecrest in fall 2012. In terms of operational performance the Authority's experience with the two schools has been positive. In terms of academic performance, Somerset Academy made Adequate Yearly Progress in its first year of operation. Although Academica Nevada is relatively new to the state, there is strong evidence of the EMO's management success.

Doral Academy, Inc. provides services to five charter schools in Florida. The most recent Doral Academy, Inc.- assisted charter school was opened in 2011 with the other four opening from 1999 to 2005. These schools have consistently received an "A" from the Florida Department of Education for academic performance in the last five years. Four of the five schools have also received school recognition awards for demonstrating sustained or significantly improved student performance. The majority of the student population in all five schools is Hispanic. Only one of the Doral schools in Florida is similar in make-up to the proposed Doral school in Nevada in serving a K-5 student population. This school was ranked 50 out of 1795 Florida elementary schools. The proposed location for the Doral Academy of Nevada is in the Mountain's Edge Community (89113, 89139, 89141, and 89148). The elementary schools located in the following zip codes tend to serve a high minority student population with a mid-average percentage of students who are socioeconomically disadvantaged.

The application and due diligence indicate compelling evidence of Academica Nevada's prior success in assisting with management and operation of charter schools as well as Doral's model in achieving high educational outcomes.

The proposed board for Doral Academy Charter School is comprised of seven committee members. Joani Zibert Williams is a photography business owner in Las Vegas. She also worked as a graphic designer at Casino Data systems. She has a four-year degree in design with over nine years of design industry experience. Jerod Allen is the Director of Information Technology at Giroux Glass Inc. Erin Bodich is a teacher at Reedom Elementary school in Clark County. Boone Cragun is currently a lawyer with Riddle and Associates. Abram Swensen has a Master's of Accountancy and is currently working as a tax manager. Julianna Turley is an elementary school teacher in the Clark County School District and Andre Winslow is a Journeyman Electrician with Helix Electric.

The Committee demonstrated the capacity to found and sustain a quality school and thus met criteria for Evidence of Capacity. The Committee was able to clarify the Review Team's questions emanating from the application review in a consistent and detailed manner. The Committee demonstrated their common and shared understanding of the vision for the school. When pressed on why the Committee did not include any goals related to the infusion of arts the Committee was able to provide a rationale for the decision in choosing to focus on academic outcomes.

The application and Capacity Interview demonstrated the Committee's due diligence that they conducted in the evaluation and selection of the two proposed EMOs with which they intend to contract. The Committee was able to speak, with appropriate detail, about the contracts and how the Committee would hold the respective companies accountable for a defined level of performance.

The Committee does not have experience working at, or for, charter schools. Nor did they report any experience serving on a non-profit or school board. Additionally, no Committee members report any experience or expertise in the arts. In the context of the application and the Capacity Interview the lack of specific experience and expertise on the Committee did not undermine the Review Team's confidence that the Committee could found and sustain a high quality school. The Review Team recommends the Committee

consider expansion of the Doral Board to include specific expertise to address gaps in the present Committee. It is hoped that the Committee would prioritize the professional development for the Doral Board (as explained in the application) to initially focus on core practices of high performing governing bodies.

Director Canavero finished by saying SPCSA staff recommendation for Doral Academy of Nevada was to approve the applicant for a Subsection 7 charter.

Member Luna asked Director Canavero about the socioeconomics of the location of the proposed school. Director Canavero said that the location is not in an area where there are a lot of students who are socioeconomically disadvantaged.

Chair Conaboy asked that the Committee to Form (CTF) for Doral Academy of Nevada come up and answer some questions the Authority members had.

Joani Williams started the discussion by giving the background of the how the Committee to Form worked through the application process and what exactly Arts Integration meant. She said that Arts Integration includes songs, art, and other art-type curricula to help expand the lessons and make them more interesting for the pupil. She said that she had three children who all showed huge improvements in their coursework when they were introduced to an arts infused curriculum. She also said that Arts Infused education expands the student's ability to comprehend various subjects including English, math and history.

Chair Conaboy asked how the CTF had found Doral and Academica. Ms. Williams said she had seen Academica in use at Somerset Academy and had found she really liked the relationship between the school and the EMO. She said they went and visited Doral Academy in Florida over the past summer and was very impressed with the school that was already in operation there. She said she wanted to bring the same Arts Infused School to the Las Vegas area.

Jarrold Allen also added that like Ms. Williams he has found that his children respond very well to the arts infused curriculum, which made him want to become involved with the CTF of Doral Academy of Nevada.

William Kragen said he and his wife wanted to become involved with the charter school because the public schools by his home were already so overcrowded. He said, like the other members of the CTF that his children responded really well to arts infused curriculum. He said his passion is trying to expose this form of curriculum to as many pupils as possible because of the difference he has seen it made in his own children's lives.

Chair Conaboy asked the CTF what their options were with regard to a facility for the school. Ms. Williams said that as of right now they have not secured a facility, but they have been looking. She said that the southwest part of Las Vegas is relatively new and there are not a lot of vacant buildings they can move into. She said they are looking into renovating and existing building into a school site instead of moving into a brand new building.

Member Abelman said that he was a huge proponent of the Arts Infused curriculum and he commended the CTF for using it in their charter school application. He then said he had a question about the EMO, and how the relationship is going to work between the school and the EMO. Ms. Williams said their affiliation is currently set up to last for two years with Doral and they would evaluate Academica and if they found that Academica was not fulfilling its duties they would look to move onto a different EMO.

Vice Chair Wahl was concerned that in her review of multiple charter applications she found that much of the language used in Doral's application was replicated in another application that was currently under review. Vice Chair Wahl asked how much of the application this CTF was intimately involved with. Ms. Williams said

that they were very involved with the application, however they requested Academica's advice, but they didn't have Academica write the application for them.

Member Luna made a motion for approval of the staff recommendation for approval of the Subsection 7 Charter for Doral Academy of Nevada. Member Mackdon seconded the motion. No discussion took place. The motion carried unanimously.

Agenda Item 6 – Consideration regarding the Application Review Team's recommendation of Sterling Charter High School South's charter school application

Director Canavero then moved onto staff's recommendation for the Sterling Charter High School South's application. He detailed the recommendations made by staff:

Sterling High School South proposes to offer an educational program integrated with social and interpersonal skills for students in grades 9-12. The proposed student population will be students who are disadvantaged and at-risk of academic failure due to academic, social, or economic factors. The Common Core standards is the proposed curriculum using Person's Common Core textbooks. The overall educational program includes a number of career and technical courses. Instructional strategies will emphasize using response to intervention, reinforcing efforts to provide recognition, setting objectives and providing feedback, using culturally-relevant pedagogy, and sheltered instruction observation protocol for English Language Learners. Behavior mentors will be utilized alongside teaching staff to reinforce behavior management skills.

The Education Program met the criteria for approval because the overall plan presented compelling research-based evidence for selecting the proposed curriculum and instructional strategies as well as demonstrating alignment between the school's curriculum, pedagogy, and professional development. The applicant's belief that all students have strengths, and that the proposed school would work with students to develop social, interpersonal as well as academic skills, is commendable. The school appeared to have solid plans for the use of professional learning communities and intends to tie professional development closely to academic initiatives at the school. The intended early adoption of Common Core is also a strength. The management plan documenting how the school will monitor success in meeting student achievement goals is concrete and a welcome addition to the application. The Committee provided compelling research for the location of the school in Las Vegas.

The school's assessment plan appeared appropriate and covers state standardized and nationally normed tests, as well as a number of other formative and summative assessments – some of which are appropriate to the school's goals of teaching social and interpersonal skills.

Overall, what was included in the Education Program was strong; however, in some areas additional information was necessary as the narrative provided did not go into sufficient detail. For example, the school would need to revisit how it would honor commitments to students under IDEA.

The Capacity Interview clarified a number of questions developed by the Review Team. In one example the Committee provided valuable context for the Review Team to link core instructional strategies to student need. Additionally, the Committee detailed a student recruitment strategy that, given the Committee's broad connections within the community, appears likely to succeed.

The members of the Committee to Form the School (CTF), and the NRS 386.520 membership requirements each one meets, are: Liaison: Kirby Burgess, human resources, Jonay Argier, educator, Johanna Davis, educator, Harry Williams, parent, Leon Jackson, financial, and Esther Rodriguez-Brown, human resources and law. According to the board bylaws, the first board would consist of the members of the CTF. The proposed school would contract with an Educational Management Organization (EMO) to assist with the provision of educational services at the school: Rite of Passage. The school would not provide distance education courses and/or programs.

“The administrators, teachers and staff will all be employees of the [EMO].” Instructional FTEs for 200 pupils in the first year would include one Instructional Leader, 5.5 teachers, two special education teachers, one guidance counselor, five behavioral mentors, one principal, one registrar, and one janitor. The application does not identify the school’s administrator.

The Operations Plan only partially met criteria for approval because the fundamental operational plan was sound; however, the proposed relationship between the EMO – Rite of Passage and Sterling South appears to violate NAC 386.407 which specifies that the EMO may employ not more than 30% of licensed employees. The Capacity Interview added a level of understanding to the proposed relationship. That said, concerns with the contract and proposed relationship do exist, primarily the proposed relationship which contains provisions prohibited by NAC 386.405 and 386.407 and would require material revision. The Review Team suggests, and has confidence the Committee will follow through, that the necessary revisions are negotiated to bring the proposed relationship and contract into compliance with statute and regulation. Although the Capacity Interview demonstrated the Committee’s understanding of their oversight role, it is suggested that the revisions include the school’s performance expectations of the EMO that are consistent with the school’s accountability requirements and the means by which the governing board will hold the EMO accountable. The Key Performance Indicators provided in the application are a solid beginning. The necessary changes to the management contract would have an effect on other areas of the school’s plan (e.g., Bylaws, budget and financial management) and necessary revisions would be required. The Capacity Interview clarified the school’s commitment to open enrollment and also suggested the Committee may consider enrollment preferences for certain categories of at-risk students currently allowed for under Nevada law.

The pre-opening budget includes a \$240,000 loan at 3.75% interest from the EMO, all but \$337 of which will be spent prior to opening. Budgeted enrollment for years 1 and 2 is 200 and 350 students, respectively, yielding positive fund balances of \$19,070 and \$46,950. Included in those ending balances is revenue from federal grants totaling \$226,896 in year 1 and \$487,404 in year 2. Eligibility for much of this requires a full year of data, so none would be available in year 1. It is uncertain if and when it might be available in year 2. Outside revenue is not calculated into the DSA sheet or included in cash flow projections. An incorrect county designation and amount was used for the first year. Because of the many other errors and inconsistencies in the CFS, it is uncertain whether the additional revenue would result in a positive or negative cash balance. Cash flow statements make an unrealistic assumption that all revenue and expenditures will occur evenly throughout 12 months. Insurance stated in cash flow as 32,000. Insurance quote received is 59,262. The beginning cash balance in year 1 is, with no explanation, \$3,173 more than the closing balance of pre-opening. Year 2’s beginning balance is, with no explanation, \$15,044 less than year 1’s ending balance. Budget narrative does not always match the cash flow statement. For example, the narrative says \$9,000 in interest will be paid in each of year 1 and year 2. The CFS has \$4,200 in year 1 and \$9,000 in year 2. Budget shortfall contingency plans include securing loans from a bank or the EMO, applying for federal grants (which are already in the budget) and private grants, fundraising and renegotiating leases and contracts. The person responsible for all finances will be the CFO of the EMO.

The Financial Plan only partially met criteria for approval because the budget and education model seem aligned and expense assumptions are realistic; however, the budget was built anticipating additional federal support and if the federal support was not secured it is unclear if the school would be able to deliver key aspects of the academic program. Additionally, the revisions required to the relationship/contract in order to bring it in line with Nevada statute and regulation may impact the budget in a manner not currently accounted for in the financial plan. Given the required changes, the Committee would need to demonstrate that the school could implement its educational vision as proposed in the application.

Sterling Charter High School intends to contract with Rite of Passage (ROP), a Nevada nonprofit corporation and Educational Management Organization. According to the contract included in the application, Sterling

Charter High School South intends to engage ROP to provide educational, administrative and financial services and support to the school. Rite of Passage will charge the school 10% of the total revenue received by the school from state and federal sources, excluding National School Lunch Program dollars. Sterling Charter High School South would be responsible to reimburse ROP for all expenses paid by ROP including, but not limited to, personnel costs, curriculum, supplies, supervision and behavior management of students. The proposed contract is for the full term of the initial charter i.e., 6 years. The contract contained within the application appears to not contain any of the prohibited provisions as specified in NRS 386.562. However, the contract does violate Nevada Administrative Code which limits the initial term of the contract to two years and the number of employees provided by the EMO.

Rite of Passage is a national provider of programs for troubled and at-risk youth who are referred to Rite of Passage from social services, welfare agencies, and juvenile courts. This organization manages a wide-range of services which include community-based services, day schools, academic-model facilities, and gender specific treatment and secure facilities. Most of the youth referred to Rite of Passage are admitted to secure treatment or residential programs managed by Rite of Passage; however, Rite of Passage has created partnerships with various educational entities enabling youth at their treatment/residential facilities the opportunity to graduate from high school. Rite of Passage currently has four academies in four states that provide a number of services including academic support--Ridge View Academy in Colorado, Canyon State Academy in Arizona, Silver Oak Academy in Maryland, and Rite of Passage Charter High School in California.

Although most of the Rite of Passage "schools" are private residential facilities, the Rite of Passage Charter High School in California is considered a charter school which met its 2011 growth targets for all student level and subgroup level meaning their growth index exceeded the mandatory 5% improvement. Ridge View Academy in Colorado is considered an alternative school and was recognized as one of the highest achieving alternative schools by the Denver Public School District. Ridge View Academy also reported 77.3% of its 2011 exiting students as enrolled, enlisted, or employed within the first year of leaving the Ridge View Academy program.

The Evidence of Capacity met criteria for approval because the Committee to Form Sterling Charter High School South has the capacity to found and sustain a quality school in partnership with their selected EMO – Rite of Passage. The Committee demonstrated extensive knowledge of the proposed management contract with Rite of Passage.

Even though there are areas of the proposal that must be revised and approved prior to the school's opening, the Committee to Form demonstrated a clear understanding of their duties and responsibilities in governing the school, and the track record of success of the EMO – Rite of Passage - is compelling. The Review Team has confidence that the proposed governing body has the capacity to remedy the identified deficiencies.

The Sterling Charter High School South Committee to Form is comprised of six members. Johanna Davis is an administrative assistant at the Nevada Board of Health and a licensed Nevada teacher. Esther Rodriguez Brown is a court administrator for sexually exploited children in Clark County where she develops procedures and implements "best practices" programs and policies relating to juvenile court services consistent with directives established by the Juvenile Policy Board and the Nevada Supreme Court. Esther is also the founder of The Embracing Project for sexually exploited children. Esther has worked extensively in Youth Detention centers in Las Vegas. She also is the creator of the curriculum Gangs and Genocide "Healing the World Together." Leon Jackson is a Doctoral Research Assistant for the Center for Academic Enrichment, Outreach, and Research at UNLV. Jonay Argier is a customer relations liaison for an out-of-state adolescent treatment center (Southern Peaks). Kirby Burgess was the former Director of the Clark County Department of Juvenile Justice Services where he oversaw 300 employees and worked extensively in the areas of Probation, Detention Services and Child Protective Services. He also was a Senior Vice President for the WestCare Foundation

where he was responsible for the WestCare Foundation Endowment Fund. He is now the Executive Director of A Brighter Day Family Services where he oversees all operational activities. Harry Williams has a background in providing services for at-risk youth in Clark County through neighborhood planning and community outreach. Mr. Williams has a long history in the Clark County Community as an advocate for youth.

The Evidence of Capacity met criteria for approval because the Committee to Form Sterling Charter High School South has the capacity to found and sustain a quality school in partnership with their selected EMO – Rite of Passage. The Committee demonstrated extensive knowledge of the proposed management contract with Rite of Passage.

Even though there are areas of the proposal that must be revised and approved prior to the school's opening, the Committee to Form demonstrated a clear understanding of their duties and responsibilities in governing the school, and the track record of success of the EMO – Rite of Passage - is compelling. The Review Team has confidence that the proposed governing body has the capacity to remedy the identified deficiencies.

Chair Conaboy called members of the CTF of Sterling Charter School South to come up for questions from the Authority. Kirby Burgess, liaison for Sterling South, introduced the members of the CTF. He said there has always been a need in Las Vegas to supply a school for children who do not fit the normal public school model. HE said that all members of the CTF are from Nevada and that Right of Passage (ROP), the EMO for Sterling South, is based in Nevada.

Chair Conaboy asked how the CTF came together and how they came about ROP as the EMO for their charter school. He said that on a personal level he has known and worked with ROP for a number of years through his work in the Juvenile Justice system. Harry Williams said he had worked with ROP for 10 years. He said that ROP works with youth that no one else wants to work with. Esther Rodriguez said that she has also worked with ROP through her foundation The Embracing Project. Jonay Argier has not directly worked with ROP but has worked with troubled youths and wanted to be a part of a charter school that would be there for these youths who have nowhere else to go. Johanna Davis worked for Early Headstart in Reno and Harlem for the past 4 years and she wanted to be involved, like Ms. Argier, with an at-risk charter school in the Las Vegas area. Leon Jackson worked with ROP during a work readiness and he was impressed with the energy and passion that ROP brought to working with the at-risk pupils.

Member Mackedon asked about the student:teacher ratio because it is much different than a normal public school. Mr. Burgess said that they are taking models that have already been put into practice and using them at Sterling South. Mr. Jackson added that the work relationship between teachers and the behavioral specialists also ensures that the pupils are receiving the teaching and supervision they require. He said the main purpose of Sterling South will be to teach the kids who have are unable to return to normal class. He said that is why they have the behavioral specialists in the class, so if there is an incident the pupil wouldn't have to be pulled directly from the class. The specialist is there to work with them and to help them through their situation without interrupting too much of the learning time.

Member Abelman asked how the CTF plans on reaching the home life of these troubled youths. Mr. Burgess said the committee has not directly addressed that but they understand that it is an integral part of the entire lesson plan that the school should be looking at. He said the pupils need to be well adjusted when they reenter the normal public school environment and part of that is dealing with any underlying issues that may be going on in the home.

Vice Chair Wahl said that it seemed to her that this CTF was taking on much more than just educating the children and they should be commended for that. Wahl was also impressed with the amount of parent involvement the school is looking to facilitate.

Member Luna then asked the CTF to address the recruitment strategy they were planning on implementing when the school opened. Mr. Burgess said they had identified where the pupils will most likely come from and they will target those areas. Some of the areas they are looking at are the Clark County School District, the juvenile court services, and churches and community based agencies. They also had performed an analysis on the zip codes where they felt were a higher probability that a pupils would come from there. They had approached Metro Police in Las Vegas to include their input on where some of the trouble spots were in the Las Vegas Valley. Mr. Burgess also added the Juvenile judge in Clark County was already aware of the program and was very excited to begin using it as a resource to send youths to.

Chair Conaboy commended the CTF for their application and the thoughtfulness that went into it. She said her only concern was their application included a lot of Federal money. She wanted to know how the school would make up for the money if it was not received from the Federal Government. Mr. Burgess said they have alternative plans if funding is not received. He said the school would also be applying for private donations. Chair Conaboy said it was still a concern and they would need to mind it as they moved forward toward the opening of the school. Director Canavero added the funding issues of the school would also be something that would be addressed in the preopening requirements of the Subsection 7 agreement.

Vice President Wahl made a motion for approval of the staff recommendation for approval of the Subsection 7 Charter for Sterling Charter High School South. Member Abelman seconded the motion. No discussion took place. The motion carried unanimously.

Agenda Item 7 – Consideration regarding the Application Review Team’s recommendation of American Preparatory Academy’s charter school application

Director Canavero began his presentation on the American Preparatory Academy’s charter school application: American Preparatory Academy’s mission is to provide an orderly, safe and nurturing learning environment wherein content-rich, efficient curriculum and research-based instructional methodologies are utilized to ensure that every student achieves academic success and develops good character based on concrete measures. Junior High Mission: American Preparatory Academy Jr. High assists students in their efforts to become student scholars by providing an academically rigorous liberal arts program that prepares them for advanced study at the high school level. Senior High Mission: American Preparatory Academy Sr. High provides rigorous coursework, excellent teaching, and consistent mentoring to ensure that each student graduates ready to successfully pursue their chosen course of study at the post-secondary level.

American Preparatory Academy proposed to provide at-risk students in grades K-12 with a classical liberal arts education focused on academic achievement and character development. The school would center on the trivium (grammar, logic and rhetoric) educational model with an emphasis on subject mastery. The proposed K-8 curriculum would use Core Knowledge using direct instructional strategies. The proposed 9-12 curriculum would offer the traditional courses also using direct instructional strategies. All students starting in grade seven would be required to take Latin. Students who complete Latin 2 at the mastery level may move on to Spanish.

The Education Plan only partially met criteria for approval because the school proposed to serve grades K-12 but the high school education plan was not fully developed. The education program for the high school (grades 9-12) was addressed in a somewhat haphazard manner throughout the application. In some areas the high school program was clearly detailed while it was omitted in other areas. During the Capacity Interview the Committee confirmed the Review Team’s observation and acknowledged the lack of a fully developed high school program.

In the goals section of the application the Committee included a goal in which 75% of students, attending for three consecutive years, would meet or exceeds proficiency on state assessments. The 2014-2015 Annual Measurable Objective (AMO) for elementary math is over 80. Any proposed goal that does not at least match

the rigor of the statewide accountability system is unacceptable. It is suggested that the Committee revisit their goal setting.

The Committee was able to clarify during the Capacity Interview the nature of the targeted at-risk population they proposed to serve. Additionally, the Committee explained, in detail, how the proposed curriculum and school structure would support the targeted student population. The Committee is commended for submitting a well designed K-8 education program with structured, data-driven instructional processes and including a goal related to science – because the state did not set AMOs for science, science is often not incorporated into a school's goals.

The members of the Committee to Form the School (CTF), and the NRS 386.520 membership requirements each one meets, are: Liaison: Rachelle Hulet, parent; Jonathan Gardner, finance; Lee Iglody, law; Lindy Desjarlais, educator; and Tamara Stuart, educator. According to the board bylaws, the first board would consist of the members of the CTF. The proposed school would contract with an Educational Management Organization (EMO) to assist with the provision of educational services at the school: American Preparatory Schools. The school would not provide distance education courses and/or programs. The school's "Leadership Team" would consist of five persons: School Director, School Business Manager, Academic Director, Elementary Director, and Secondary Director. All five would be employees of the EMO rather than the school's board. The school would have 21 elementary-qualified teachers, and 21 teaching assistants called "instructors." Additionally the school would hire "12 teachers" for the junior high school for the first year: three math, three English, two Latin, two science, one art, one choir, one band/orchestra, two health/PE, two history. The school would open in year 1 serving grades K-9 and add a grade of high school each year thereafter. The application does not identify the school's administrator.

The Operations Plan only partially met criteria for approval because only the K-8 program was sound. The staffing plan included appropriate teacher allocations and identified a ratio of one teaching assistant to one teacher. Teacher qualifications included specific reference to the core instructional model employed by the school and sufficient recruitment strategies. The Committee recognized that they do not currently reflect the diversity of the community the school proposes to serve and addressed plans (in the application and Capacity Interview) to revise Committee membership to reflect the community.

The Committee to Form intends to contract with an EMO, American Preparatory Schools (APS) for staffing, academic programs (methods of delivery) and services as well as business operations services. Although the application and Capacity Interview suggested the Committee conducted modest due diligence in their selection of American Preparatory Schools, the presence of a familial relationship between the Committee and American Preparatory Schools represents a conflict of interest (the Committee Liaison is the niece of the EMO's founder.

The Financial Plan only partially met criteria for approval due in large part to the discrepancies within the application related to key aspects of the Committee's fiduciary responsibility. The relationship proposed in the contract between the EMO and the school was problematic. For example, section 22.2 of the draft contract charged EMO employees Carolyn Sharettte and Phil Collins with the fiduciary responsibilities for all school funds and authorized them as signatories on school checking accounts, however the application identified Jonathan Gardner as the person designated to draw orders for payment.

The Review Team encourages the Committee to thoughtfully revisit the proposed relationship with the EMO and re-negotiate a contract that clearly acknowledges the supremacy of the school board over the EMO. The Business Plan includes pre-opening expenses of \$230,000, all of which will be covered by a loan from their EMO, to be repaid in year 1 of the school. Budgeted enrollment for years 1 and 2 is 924 and 1,092 students, respectively, yielding positive fund balances of \$223,108 and \$450,180. No private contributions or grants are budgeted. Highly detailed budgets by general ledger account number support projected Cash Flow Statements. The CFS, while correct in the aggregate, have some expenses misclassified, resulting in unrealistic

details. Year 2 CFS neglected to carry forward the ending cash balance from Year 1. Contingency plans for unexpected budget shortfalls are general in nature, relying on unspecified reductions in expenditures combined with staff reductions, primarily paraprofessionals. The Business Plan calls for the hiring of a business manager. The EMO fee is budgeted for 17%.

The Committee to Form intends to contract with an EMO, American Preparatory Schools for academic programs (methods of delivery) and services as well as business operations services. American Preparatory Schools would provide comprehensive whole-school program for a term equal to the term of the charter (6 years). American Preparatory Schools would provide the Director level employees to American Preparatory Academy. The positions were identified as the School Director, Academic Director, Business Manager, Elementary Director, Secondary Director, Assessment Director, and Tech/Ops Director. American Preparatory Academy would be charged \$986 per student, based on enrollment count used by NVDOE.

The Performance Record only partially met criteria for approval because the contract contains provisions prohibited by law and regulation. American Preparatory Schools does have an emerging track record of assisting with the operations of financially viable schools and achieving educational outcomes that, while not overly compelling, demonstrate academic growth in schools serving similar students.

The proposed administrative leadership of the school would all be employees of APS not the school's board. The presence of related parties, the proposed contract, and the entire leadership team directly answering to APS, rather than the school's board provides the impression that the EMO would have undue control of the school.

The American Preparatory provides services to three charter schools in Utah—American Preparatory-Draper, School for New Americans, and Accelerated School (just opened). American Preparatory-Draper opened in 2003 with an overall student population that is low minority and low socioeconomically disadvantaged. The School for New Americans was opened in 2009 with an overall student population that is high minority and high socioeconomically disadvantaged. Although both schools achieved Utah State level of Performance for 2010-2011, progress and proficiency scores were lower for the School for New Americans with the individual subgroups not performing as well academically as their counterparts at Draper. The Authority does not consider the American Preparatory Academy-Draper to be an accurate comparison to determine the potential performance of the American Preparatory Academy-Las Vegas.

Chair Conaboy asked that the CTF come and answer a few questions about their proposed charter school. Rachelle Hulet, CTF liaison, began by introducing the other members of the CTF. Ms. Hulet said the process of putting together a charter school application has been a challenging one. She said they have been working on the application for the past few years and they are focused on student engagement and reaching mastery levels in their core classes. She said the CTF felt pressured to make their application K – 12 since they were planning on opening a high school at a later date. The CTF felt that if they would have done the original K – 8 application then they would have been able to receive a recommendation of approval for a Subsection 7 charter from the Authority. Ms. Hulet said the CTF was requesting a Sub 7 charter approval for the K - 8 portion of their application. Each CTF then gave their reasons why they had become involved with the charter school application.

Member Abelman asked the CTF if they could go into further detail regarding the K – 8 versus K -12 applications. Again, The CTF felt that if they would have done the original K – 8 application then they would have been able to receive a recommendation of approval for a Subsection 7 charter from the Authority.

The CTF also addressed some of the concerns with the contracts they included in their Charter School application. The CTF said they currently do not have a different EMO lined up right now, but if they ever needed to find one they were confident they would be able to.

Vice Chair Wahl asked Director Canavero if it was possible for the Authority to approve the K-8 portion of the application and deny the 9 – 12 part. He said that it was not something they could do. He also added that deficiencies found in the application went beyond just the K – 8 versus K – 12 questions. He said there were material deficiencies in the application with regard to the K – 8 portions and with that in mind, the application should be fully denied.

Chair Conaboy asked if Director Canavero could comment on the CTF's discrepancy between being advised to turn in the K – 8 versus K – 12. Director Canavero said that he wasn't sure of the specific details of the conversation but it was not staffs responsibility to determine the merits of the K – 8 versus the K -12. He said it is difficult to determine exactly what staff said since there was not a specific conversation referenced. Chair Conaboy asked if there would be the latitude for the CTF to work with staff in order to solidify the K – 8 portion of the application and still be able to turn in the application as part of the original application without it being considered an entirely new application. Director Canavero said yes that was what he had in mind and the application could go through as a K – 8 after the other deficiencies were fixed during the application resubmission window.

Member Abelman made a motion for approval of the staff recommendation for denial of the Subsection 7 Charter for American Preparatory. Member Luna seconded the motion. No discussion took place. The motion carried unanimously.

Agenda Item 8 - Consideration regarding the Application Review Team's recommendation of Leadership Academy of Nevada's charter school application

Director Canavero then moved onto Leadership Academy of Nevada:

Leadership Academy of Nevada's mission is to provide highly-motivated and self-directed students in Nevada with a classical education so they can become principled leaders. Leadership Academy of Nevada proposed to provide a classical Liberal Arts education through distance education to students in grades 6-12. The curriculum would be provided by Williamsburg Academy, which uses Socratic questions and online discussions centered on the classics. The purpose of the educational program is to help students become educated scholars and principled leaders. The educational model would be blended learning in that students would engage in asynchronous learning through the learning management system and synchronous learning through the use of Blackboard Collaborate. Mentors would be trained to use various instructional strategies which encourage discussion and debate. Learning would be proficiency based using a shortened school calendar of 153 school days.

The Education Program only partially met criteria for approval due to a number of concerns, some of which are discussed below. The Committee, in the application and Capacity Interview, was not able to demonstrate a complete understanding of the school's legal obligations in meeting the needs of special student populations (e.g., English Language Learners, Special Education). The Committee indicated that they plan to hire a special education teacher who is more familiar with Nevada law and regulation. The application appeared to commit the school to offering a full continuum of services to special needs students yet the complete plan (operation and financial) do not support this assertion. Additionally, the applicants' description of the ELL program did not provide sufficient detail to demonstrate a depth of understanding of the required program for qualified students (e.g., use of Rosetta Stone). The budget does not appear to align in supporting specific positions and required programs described in the Education Program to serve special populations.

The professional development framework included strategies related to communication (the Huddle), progress/communication (the Syncro) and attending conferences. There was a clear commitment to continuous improvement. However, the framework did not present a comprehensive and coordinated plan. For example, there appeared to be no systematic training on the Classical curriculum and no specific training for teachers to be proficient using the backbone technology of the school (i.e., LMS, Blackboard). It was not evident that the

Committee used the emerging research in effective instruction and professional development for online/blended programs to inform key aspects of the plan.

The Committee provided a strong foundation and argument that underpinned their Socratic method approach and there was alignment among the mission, educational philosophy and curriculum.

The members of the Committee to Form the School (CTF), and the NRS 386.520 membership requirements each one meets, are: Liaison: Valerie Blake, parent; Angela Kleven, human resources; Kelly Parker, accountant; Ruth Parker, teacher; and Sione Pulu, teacher. According to the board bylaws, the first board would consist of the members of the CTF. The proposed school would contract with an Educational Management Organization (EMO) to assist with the provision of educational services at the school: Williamsburg Educational Services. The proposed school would provide distance education courses and/or programs.

Management would be provided by a Director, assistant Director, and an Administrative Assistant. "Responsibility for the curriculum and teaching will be delegated to WES [the EMO]." "Independent contractors" including licensed teachers, non-certified teachers, legal counsel, a special education consultant, an information technology consultant, and an accountant/auditor may also staff the school, "depending on enrollment." The school would employ one teacher per fifty students. The application does not identify the school's administrator.

The Operations Plan did not meet criteria for approval for a number of reasons; most notably, the staffing plan did not support the educational program and the use of "contractors" was unclear. The proposed staffing plan of the school was unclear and did not align with other parts of the application. The Committee clarified in the Capacity Interview that they intend to hire the majority of teachers as part-time contractors and their EMO would provide instruction for low-incident courses such as guitar theory. Other areas of the application stated that the responsibility for curriculum and instruction would be delegated to the EMO. Additionally, the rationale for structuring the teaching core as part-time contractors was not fully explained. Simply calling a worker a "contractor" doesn't make the worker a contractor; depending upon work conditions and circumstances, the part time teachers may indeed qualify as employees rather than contractors. The proposed staffing plan for 300 students enrolled in grades 9-12 was 6 part-time contractors (teachers) at \$11,000 per teacher per year. The staffing plan appeared insufficient.

The Committee is commended for acknowledging the need for governing board training and development that is reflected in the budget. The pre-opening budget of \$46,388 is expected to be funded by requesting employees to go without pay for 3 months, deferring payment of payroll taxes for 3 months and/or drawing on a line of credit from their EMO, which they state is not to exceed 15% of their operating budget. No written agreement documenting such an agreement is provided. Budgeted enrollment for years 1 and 2 is 300 and 500 students, respectively, yielding positive fund balances of \$48,273 and \$1,092. No private contributions or grants are budgeted. The applicant's budget shortfall contingency plan includes reasonable sounding cuts to teaching and administrative positions, salaries and other administrative costs, as well as drawing on the previously mentioned line of credit from their EMO. No mention is made of hiring a business manager. A CPA who works for a local firm has been designated as the school's financially responsible employee, including drawing all orders for payment of monies belonging to the charter school.

The Financial Plan only partially met criteria for approval because the budget and the education model appeared to align and the expense assumptions are realistic given the parameters of the school; however, certain expenses reflected in the budget may derive from inaccurate assumptions, and certain expenses may not be reflected. As noted in prior sections the budget does not accurately reflect certain aspects of meeting the needs of special student populations. Additionally, the budget does not reflect the often high costs for distance

education schools in the delivery of statewide mandated assessments. The budget would need to reflect any changes to the staffing plan of the school.

The Committee intends to contract with Williamsburg Educational Services, LLC (WES) an Educational Management Organization. Williamsburg Educational Services is a sister company to Williamsburg Academy, LLC, a private online high school accredited by NWAC/AdvancED. WES has access to all of Williamsburg Academy's methods and educational resources, and is free to use them to provide services for Leadership Academy of Nevada (LAN) according to the terms of the contract. WES was formed in 2012 for the purpose of assisting Leadership Academy of Nevada. WES has not, to our knowledge, provided services to other charter schools in a manner similar to that proposed in the contract.

The contract between LAN and WES is for a term of two years. It identified the following services provided by WES to LAN: application preparation; curriculum and instruction for up to 30% of total LAN teachers; financial support (loan) and assistance with financial decisions; human resources; marketing; strategic plan for replication and scaling of academies; technology and technology consulting; materials; general administrative; and training/professional development. LAN agrees that WES will be its sole source curriculum provider and that LAN may contract with other service providers only for services not provided by WES. LAN will pay \$2,900 per student per academic year for curriculum, instruction, professional development, technology, and all other academic services; an additional \$300 per student charge is incurred for marketing services. Additional fees for service may be developed only upon agreement by both parties. The Committee identified a list of other entities, by way of reference, with which Williamsburg Academy has a relationship. No prior track record of Williamsburg Educational Services exists. The contract was developed and informed by existing statute and regulation and does not appear to contain any prohibited provision outlined in statute and regulation.

Leadership Academy's CTF is comprised of five members. Valerie Blake is the manager of Blake Properties LLC, a real estate company in Las Vegas. Angela Kleven is the founder and Operations Director of RISE Resource Center, a homeschooling network in Las Vegas. Kelly Parker is a Principal at Piercy, Bowler, Taylor, and Kern CPA. Ruth Parker is a retired Clark County school teacher, and Sione Tuione Pulotu is a math teacher with Clark County School District.

The Evidence of Capacity only partially met standard because the plan as proposed does not fully convey that the Committee appreciate the complex legal requirements to which a public school must adhere. This finding is particularly noteworthy in the delivery of services to special needs students, knowledge of credentialing requirements, and the associated financial obligations. Additionally, the Committee and EMO with which it intends to contract collectively have no prior experience in leading and operating a public charter school. Three members of the Committee report prior board experience. Ms. Blake serves on the Pillar of Light Commonwealth – a community of families created to serve the needs of homeschooled families in Las Vegas. Ms. Kleven serves on the board of RISE Education Resource Center – an organization dedicated to providing a facility and resources to support educational choice; and has served on the board for the Pillar of Light Commonwealth School. Mr. Parker reports experience on the board of the Las Vegas Gem Club and the BYU Management Society. The two Parkers on the Committee are spouses; related parties on the board/Committee are discouraged by SPCSA guidance. The Committee acknowledged their understanding of the SPCSA guidance and indicted that one party would be willing to step off the Committee. Expansion of the Committee to include a member with prior experience in the operation of a public school, preferably a distance education charter school, would significantly strengthen this section. Each member of the Committee brings a wealth of professional experience to the Committee and is commended for their vision to propose a charter school.

Vice Chair Wahl said that she knew members of the CTF through here professional work but she did not feel that it had any bearing on her decision about the application that was currently before the Authority.

The Authority had concern with the proposed teacher contracts that were included in the application and addressed those concerns with the CTF.

Valerie Blake, CTF liaison presented to the Authority by going over the process her and the CTF had gone through in order to reach this point. She spoke about the CTF's plans on obtaining grant money and she felt it would be best for the CTF if the Subsection 7 was approved for the school in order for them to go after the grant money. She also said the operations plan with regard to employee contracts was being addressed and that they are in the process of revising the budget in order to reflect staffs recommendations with regard to the teachers' employment classification. She also clarified the staffing numbers and she said those were being revised in the application as well. The CTF then gave some personal history to the Authority and why they became involved with the Leadership Charter application.

Member Luna asked the CTF about their plans to use Rosetta Stone as part of their foreign language curriculum. Member Luna said the case studies didn't have the scientific or education expertise to back up the claims being made by Rosetta Stone. She said the success of the program was being highlighted on the Rosetta Stone website but she had not been able to find any peer review articles seconding Rosetta Stones claims. Director Canavero also added that Rosetta Stone could be used as an add on for the ELL curriculum but it would need to be supplanted with standard core curriculum that the State of Nevada recommends is used in the education of ELL students.

Ms. Blake also addressed the special education concerns that were raised during the application process and she said that when she stepped down from the CTF they would add someone with expertise in the special education field. She also explained how Leadership Academy would be different than the public schools already in Las Vegas with respect to how individual students would be pushed to exceed the averages. Ms. Blake explained how Williamsburg Academy has already shown what they can do in their existing schools in pushing student academically and she said that was one of the core reasons why this school would be different than existing public schools.

Member Abelman made a motion for approval of the staff recommendation for denial of the Subsection 7 Charter for Leadership Academy. Member Luna seconded the motion. No discussion took place. The motion carried unanimously.

Agenda Item 9 - Consideration regarding the Application Review Team's recommendation of Silver State Virtual Academy's charter school application

Director Canavero moved onto Silver State Virtual Academy's charter school application:

Silver State Virtual's Academy mission is to improve the graduation and college enrollment rates of its pupils by use of effective methods of continual basis to ensure that improvement. Silver State Virtual Academy proposes to accelerate teaching and administration; and by providing an accurate accounting of its pupils' academic progress on a learning and help improve high school graduation and college enrollment rates for students in grades K-12. The school proposes to offer a distance education program using Odysseyware distance education curriculum.

The Education Program did not meet the criteria for approval because the Silver State Virtual Academy presented a plan that was incomplete – not all Required Elements were addressed or if addressed were not fully defined, and lacked alignment among the Education, Operations, and Financial Plans.

Numerous Required Elements were not included in the application or were poorly developed without enough detail to appreciate how the program would be delivered. One example of missing information, Required Elements 3 and 4 in the School Goals and Objectives were not answered. Additionally, Silver State's mission is to "improve the graduation and college enrollment rates," yet no goal specifically addressed graduation or college enrollment rates.

The Committee proposed to serve grades K-12 exclusively using Odysseyware as the provider of distance education curriculum. Sections of the application were copied directly from the Odysseyware website. Further, Odysseyware does not provide curriculum in all grades proposed to be served at Silver State and many courses are not currently approved by the Nevada Department of Education. The Capacity Interview suggested that the Committee was unaware of the gaps in curriculum, although the suggestion that other distance education providers would be used, no clear plan consistent with the proposed school's program was provided. In general, the application read as if the Committee was attempting to design an educational program around Odysseyware rather than design an educational program that was best suited for the target population where Odysseyware may be used to achieve the mission of the school. The Committee is commended for their dedication to garner parent input through a Parent Advisory Council and by traveling around Nevada to receive such input.

The members of the Committee to Form the School (CTF), and the NRS 386.520 membership requirements each one meets, are: Liaison: Margot Allaire, educator; Jeffrey Baker, human resources; Wesley Laughlin, educator; Prasad Nair, general public; Joe Price, general public; and Lisa Schiano, educator. According to the board bylaws, the first board would consist of the members of the CTF. The proposed school would not contract with an Educational Management Organization (EMO) to assist with the provision of educational services at the school. The school would provide distance education courses and/or programs. The school would have a Head of School/Special Education Facilitator, Administrator, Office Manager, Technical Director, nine teachers and two office staff. The application identifies the Head of School/Special Education Facilitator: Margot Allaire.

The Operations Plan did not meet the criteria for approval for several reasons. The Committee did not present a compelling or realistic staffing design for the school that appeared viable and adequate for effective implementation of the proposed educational program. The application contained elements that appeared to not specifically address the distance education environment. The number and depth of the discrepancies undermined the Review Team's confidence that the Committee has the capacity to found and sustain a quality school.

The Committee plans to recruit retired, experienced educators and administrators with online experience; however, the plan to do so lacked sufficient detail to understand what would qualify as acceptable online experience. The Committee planned to use PERS as an avenue to recruit former retired teachers. A significant weakness in this strategy is the income limits for retired teachers, assuming there are a wealth of retired teachers with online experience relevant to Silver State's mission and Odysseyware curriculum. In the Capacity Interview the Committee suggested that retired teachers may start a company with which the school may contract for the teacher's services. Qualifications of teachers listed do not include experience with Odysseyware or online instructional delivery – a core component of the school's curriculum. The staffing plan was not consistent throughout the application. There was reference to two administrative positions and in other areas of the application; both positions were consolidated into one position. Other areas of the Operations Plan were underdeveloped or contain inappropriate references.

The pre-opening budget includes \$115,000 to purchase and "wrap" a motor home with advertising. It would be driven around the state to attract students. It also calls for \$45,000 in teacher salaries and training expenses and \$23,000 to open an office. This would all be funded by a \$200,000 grant applied for in June, 2012. Budgeted enrollment for years 1 and 2 is 450 and 600 students, respectively, yielding indeterminable results from incomplete budget forms and cash flow statements. A business manager would not be hired. The person responsible for all finances would be the Head of School. The Financial Plan did not meet criteria for approval because it did not present a viable plan to maintain the financial viability of the school. The start-up plan was wholly reliant upon receipt of a Charter Schools Program Grant and/or fund raising. The Head of School/Special Education Facilitator was charged with the responsibility to handle all financial matters of the school and the budget contains numerous inconsistencies that were not explained.

The Committee did not address a viable strategy should they not receive a Charter Schools Program Grant. The Committee did address fundraising; however, the individual charged with raising funds for the school was not identified in the application. In the Capacity Interview it was made clear that an affiliate of the Committee would be charged with this responsibility yet his record as a fundraiser is not clear. Given the gravity of managing public school funds, the Review Team had serious concerns that this duty would fall as an additional duty to the Head of School/Special Education Facilitator, Margot Allaire; Ms. Allaire's qualifications to fulfill the duties associated with being the school's financial steward are unclear. The budget did not align with the program presented in the application and generally did not provide the Review Team with confidence that the Committee is capable of performing its fiduciary role. No empirical and compelling evidence of success of schools similar to SSVA was provided. Given Silver State's reliance on Odysseyware, it would have been appropriate to include a strong research base or evaluation of Odysseyware's effectiveness in serving students in a manner consistent with that identified in Silver State's mission.

The application does not meet Evidence of Capacity criteria for approval because the Committee did not contain the required membership, and because of the number and depth of the inconsistencies within the application and the lack of compelling evidence of success of similar schools using Odysseyware. The Committee brings years of experience to this effort and is commended for bringing forth an idea to serve Nevada students. However, the Review Team believed more time is needed to recruit members with additional expertise, especially in finance, to more fully explore the idea(s) presented in the application to form Silver State Virtual Academy. Silver State Virtual Academy's CTF is comprised of six members. Margot Allaire was a special education facilitator at Renaissance Academy Charter School. Jeffrey Phillip Baker is a Board Certified Rehabilitation Counselor in Las Vegas. Joe Price works as an Engineer Team Lead at the Used Nuclear Fuel Disposition R&D Program. Wesley Laughlin is a part time instructional designer and teaching assistant in the Clark County School District. Prasad Nair is a Certified Project Management Professional Engineer at the Department of Energy, and Lisa Schiano is on the Board of Directors at the Crescent Academy (autism) and a substitute teacher in Clark County.

Margot Allaire, CTF liaison, then presented to the board. She gave background on how the school was put together. She said she was recently part of a failed charter school and that experience led her to want to open a charter school. Ms. Allaire also spoke about the issues the CTF had with the EMO they had chosen and how that had caused difficulties with their application. Other members of the CTF gave their personal histories and how they became with the Silver State Virtual application.

Vice Chair Wahl had some questions about the bus that Silver State was thinking about purchasing. Ms. Allaire said the bus could be outfitted with internet in order to take the program to rural areas in Nevada. She said it would be beneficial for the students who may not have the access to the same online capacity as the pupils in the larger cities in the state.

Vice Chair Wahl made a motion for approval of the staff recommendation for denial of the Subsection 7 Charter for Silver State Virtual Academy. Member Abelman seconded the motion. No discussion took place. The motion carried unanimously.

Agenda Item 10 - Consideration regarding the Application Review Team's recommendation of Ben Gamla of Nevada's charter school application

Director Canavero began by detailing the Ben Gamla of Nevada's Charter Recommendation:

Ben Gamla proposes to provide literacy and academic content in English and Hebrew to promote bilingualism, bi-literacy, and multicultural competence to students in grades K-8. The school plans to utilize a two-way educational model with Nevada and Common Core standards as the proposed curricula. Instructional strategies will include the use of teacher modeling, scaffolding, group practice, peer teaching, integration, and practice and review. The school is committed to providing an academically rigorous environment that

promotes critical thinking and problem solving. The educational program of this school is a replication of Ben Gamla charter schools located in Florida. The Education Program did not meet criteria for approval because the application did not clearly demonstrate alignment between the school's curriculum, pedagogy and professional development plan.

The Committee identified an educational philosophy that focused on developing bi-literate and bilingual students. Indeed, the research cited in support of the philosophy concludes that a two way dual language model would be the most appropriate program for Ben Gamla to implement. Such a two way dual language model would result in two groups of students (each with different home languages) learning together in a systematic way so both groups become bi-literate and bilingual in the two languages. However, the application did not provide a sound plan for delivering a two way dual language model. The proposed goals, curriculum and instructional strategies, professional development and daily schedule appear to be loosely if at all aligned to the school's mission and educational philosophy. Particularly noteworthy is the lack of detail on how the two way dual language model will be implemented (e.g., 90/10 or 50/50).

Educational goals related to bi-literate/bilingual students were absent as are any operational goals related to the instructional delivery. The curriculum seemed to be the Nevada standards and Common Core without any specific or specialized curriculum for the successful implementation of the two way model. Further, the professional development program described was silent on the specialized training necessary to build a cadre of effective instructors in a bilingual/bi-literate school. The submitted schedule of courses includes one hour or so per day of Hebrew instruction – beginning in 4th grade and the Review Team questioned whether this was a dual language school or simply a school that teaches Hebrew as a foreign language.

The Review Team commends the Committee's plan to provide the governing body with professional development and the pairing of new teachers with seasoned educators to provide mentorships opportunities. The Review Team notes that Committee members agree that Ben Gamla of Nevada is a bilingual/bi-literate school.

The members of the Committee to Form the School (CTF), and the NRS 386.520 membership requirements each one meets, are: Liaison: Susan Weingarten, law; Marion Margalit, parent; Gary Mayers, educator; Daniel Miller, law and accounting; and Amy Mufson, educator. According to the board bylaws, the first board would consist of the members of the CTF. The proposed school would contract with two Educational Management Organizations (EMO) to assist with the provision of educational services at the school: Academica Nevada and National Ben Gamla Charter School. The school would not provide distance education courses and/or programs. The school would employ a principal, office manager, fourteen teachers, and three teacher aides. A student:teacher ratio of 25:1 is anticipated. Three "specialists" and one special education teacher would also staff the school. The application does not identify the school's administrator.

The Operations Plan only partially met criteria for approval because it did not align with other sections of the application. The proposed staffing plan did not address the positions and job descriptions one would expect to see specific to a two way dual language model. There were no specific criteria identified for the school's principal qualifications that would differentiate potential candidates for principalship at Ben Gamla from other schools. The general description of teacher recruitment strategies lacked sufficient detail to align with the proposed model. During the Capacity Interview the Committee recognized the difficult task ahead in recruiting highly qualified instructors but differed in how the school may respond to the challenge. The Committee planned to use Parent Involvement Agreements; such agreements shall not be reason to deny the initial enrollment or continued enrollment of pupils. The proposed enrollment lottery was unclear as described and the Review Team recommended that the Committee clarify which students would be subject to the first year lottery or consider adopting the Authority's model lottery description. The Committee is commended for including language to clarify how and by whom the board will identify its future members.

Pre-opening budgeted revenue of \$25,000 is uncertain because it would come from yet-to-be-obtained donations, federal grants and/or fundraisers. Budgeted enrollment for years 1 and 2 is 280 and 380 students, respectively, yielding positive fund balances of \$54,334 and \$22,773. No private contributions or grants are budgeted. A breakeven budget is not presented, but contingency plans for unexpected budget shortfalls are discussed. A business manager will not be hired. The principal would be the school's financially responsible employee, including drawing all orders for payment of monies belonging to the charter school.

The Financial Plan only partially met criteria for approval because it did not discuss or explain the unique costs associated with or required to support key parts of the school's plan, including the mission and educational program. However, the budget did contain realistic, evidence-based revenue and expenditure assumptions. The Financial Plan was well constructed and contains the major cost centers associated with sustaining a typical school. Errors did exist between the narrative and actual budgeted figures as well as within the cash flow statement. This was a relative strength of the application.

The day-to-day financial management of the school would be the responsibility of the principal apparently in coordination with a person on the office staff with business experience. It was noted that there were no specific requirements outlined in the job description for the principal related to financial management. The structure was heavily reliant upon Academica Nevada, the EMO, for financial management. The Committee to Form Ben Gamla of Nevada proposes to enter into two contracts: Academica Nevada, LLC and National Ben Gamla Charter School Foundation, Inc. Ben Gamla of Nevada proposes to engage Academica Nevada to provide administrative services and support to the school for an initial term of two years. Ben Gamla of Nevada will pay Academica Nevada \$450 per FTE student. Ben Gamla of Nevada proposes to enter into a trademark license and affiliation agreement with National Ben Gamla Charter School Foundation for a fee of 1% of the per pupil funding that the school receives. In addition to the use of the trademark, Ben Gamla of Nevada is entitled to receive affiliation services such as training and materials for use. The proposed contracts submitted with the application appeared free from any of the prohibited provisions specified by NRS 386.562.

Academica Nevada, LLC currently has active contracts with two existing Nevada charter schools: Pinecrest Academy and Somerset Academy. Somerset Academy became operational in fall 2011 and Pinecrest in fall 2012. In terms of operational performance the Authority's experience with the two schools has been positive. In terms of academic performance, Somerset Academy made Adequate Yearly Progress in its first year of operation. Although Academica Nevada is relatively new to the state, there is strong evidence of the EMO's management success.

According to the application, the National Ben Gamla Charter School Foundation, Inc currently works with ten charter schools in Florida. Seven are similar in make-up as Ben Gamla of Nevada in serving K-8 student populations. Of the seven, four received letter grades on Florida's school grade system - one 'A', one 'B', one 'C' and one 'no grade due to size'.

Authority staff conducted due diligence on Ben Gamla school performance in Florida. According to the application the proposed location for Ben Gamla of Nevada is in the Summerlin area (89128, 89134, 89138, 89144, and 89145). The schools in the identified zip codes serve a low percentage of socio-economically disadvantaged students. According to the 2011 (most recent) Florida school rankings of combined Elementary/Middle Schools, Ben Gamla schools (n=3) were ranked: Ben Gamla Broward – 39/193; Ben Gamla South Broward – 161/193; and Ben Gamla North Campus – 178/193. It appears that the most similar school to which to compare Ben Gamla of Nevada would be Ben Gamla South Broward. Overall, the academic performance of the Ben Gamla model is not overly compelling.

Ben Gamla's CTF is comprised of five members. Marion Margalit is currently the president of Marble and Floors and has experience as an Israeli Military Fighter Pilot. Gary Mayers is currently a high school teacher with the Clark County School District. Daniel Miller is a financial planner with the Dun and Bradstreet Corporation. Amy Mufson is a teacher in the Clark County School District and Susan Weingarten is a special education teacher in the Clark County School District. The Committee appeared to have conducted modest due

diligence prior to selecting Academica Nevada, LLC and National Ben Gamla Charter School Foundation. During the Capacity Interview the members of the Committee to Form (Mayars, Miller, and Mufson) were able to speak to certain aspect of their due diligence and the provisions of the contracts.

The two teachers on the Committee do not have experience teaching core subjects at the elementary or middle school level – one is a career high school teacher and the other is an elementary school librarian. The Committee shared a common understanding of the school's focus (i.e., Hebrew bilingualism) yet no one on the Committee has experience in the successful delivery of a two way model or a dual language model. No Committee members (proposed first board) have experience working at, or for, charter schools. Nor do they report any experience serving on a non-profit or school board. In consideration of the deficiencies within the application the Committee may consider broadening their composition to bridge gaps and assist with the future development of the school. The Committee is not composed of members representing the diversity of the community the school proposes to serve and is not free from apparent domination by members of the same religious, ethnic, or racial group as recommended by the Authority. Mayers, Mufson and Weingarten are members of the same synagogue, per Weingarten's response to the questionnaire found in the application.

The members of the CTF for Ben Gamla Charter School of Nevada chose not to present to the Authority. They informed staff that they would not be resubmitting the application during the resubmission window.

Member Van made a motion for approval of the staff recommendation for denial of the Subsection 7 Charter for Silver State Virtual Academy. Vice Chair Wahl seconded the motion. No discussion took place. The motion carried unanimously.

Agenda Item 11 - Consideration regarding the Application Review Team's recommendation of Imagine Centennial's charter school application

Member Abelman recused himself from the application hearing due to a conflict of interest with Imagine Inc. Director Canavero began by detailing the Imagine Centennial's Charter Recommendation:

Imagine Centennial proposed to provide an educational program designed to challenge, educate, and nurture the whole child to students in grades K-8. The proposed curriculum would be the Imagine Schools standards based curriculum, which is an academic core curriculum aligned to the Common Core standards and interwoven with character development. Instructional strategies would include project-based learning, cooperative team learning, Socratic questioning, active learning, and teaming. Emphasis would be placed on mastery of the standards and professional learning communities would be used to find the best instructional practices to help students achieve this goal. The Education Program only partially met standard due to a number of reasons. Applicants were required to include course descriptions that include the content, skills, and measurable objectives for each of the content areas at each grade level. The Committee submitted sufficiently detailed course descriptions at many grade levels. However, course descriptions were missing for Grades 1 and 2 for all subjects except Earth Science; and Grades 4 and 5 all subjects.

The goals provided in the application were of questionable rigor. For example, one goal identified that 75% of students enrolled for three consecutive years would achieve proficiency or advanced status on the state assessments. This goal would allow Centennial to meet their performance goal yet underperform the statewide Annual Measurable Objectives to which all public schools are accountable. The plan for professional development did not appear comprehensive or coordinated. The school proposed two weeks of professional development at the beginning of school in addition to four days during the year. One of the two weeks at the beginning of school (fall institute) was focused on "introducing" teachers to the Imagine philosophy and curriculum. Additionally, it was unclear how the school and who at the school would determine the professional development need and coordinate with the Regional Student Achievement Coach and onsite Data Coach.

The Committee is commended for weaving the mission and vision for the school into much of the Education Program. The use of multiple assessments is laudable. The application provided a relatively clear picture of how the school may operate. The members of the Committee to Form the School (CTF), and the NRS 386.520 membership requirements each one meets, are: Liaison: Hadassa Lefkowitz, educator; Anna Webb, educator; Dennis Shin, business-financial; Susan Aventi, accountant; and Julie Williams, parent. According to the board bylaws, the first board would consist of the members of the CTF.

The proposed school would contract with an Educational Management Organization (EMO) to assist with the provision of educational services at the school: Imagine Schools. The school would not provide distance education courses and/or programs. The Principal would be mentored and supported by Imagine Schools, the EMO. The student:teacher ratio would be 26:1. The application does not identify the school's administrator. The Operations Plan only partially met criteria due to a number of reasons. The proposed location of the school, by address, was included in the contract. It was unclear to the Review Team the implications of describing the location of the school within the agreement. This may reflect an attempt to link the operating agreement to the school's facility/lease. Such a link would be considered a contingency and as such would be prohibited by statute. The lottery description was insufficient and incorrect. The school was not proposed as "at-risk," therefore siblings of enrolled pupils may not be exempted from the lottery. The SPCSA recommended that schools adopt the model lottery system developed by the SPCSA.

The application did not make clear the delineation of the roles and responsibilities between the school's governing body, management and EMO. The application and EMO contract stated that up to 30% of teachers, and all personnel not required to be licensed, would be provided by the EMO. It was not clear what role the board would play in identifying the need and approval of the "other personnel" hired by the EMO and paid for by the school. The Imagine Centennial Board would be responsible for employing a licensed teacher for each grade level for which the charter school offers instruction.

The application lacked a strong statement clarifying that neither the EMO, the EMO's representatives or contractors, nor the school administrator would be the source of suggestions/nominations for new board members. The application did refer to board members speaking with possible candidates about the possibility of joining the board. Board members would be required to sign a contract, formally assuming responsibility as the Governing Board, yet no sample of the contract was contained in the application. The application and bylaws only generally discussed professional development opportunities available to the board in order to build capacity. To ensure sufficient distance and objectivity from the EMO, the board members should receive more training than what was referred to in the application. Pre-opening expenses are budgeted at \$50,000, all to be advanced from the EMO. Any costs above that were expected to be covered by the EMO at no charge. This was an important assumption, since their cash flow statement projects \$133,266 in expenditures in July, a month before it projects receiving a DSA disbursement from the State. Budgeted enrollment for years 1 and 2 was 375 and 450 students, respectively, yielding positive fund balances of \$19,194 and \$107,881. No private contributions or grants were budgeted. Their budget shortfall contingency plan relied wholly on advances from the EMO. The language describing this arrangement appears to be form language that leaves the school at risk of the EMO choosing to reject a request for advance. The budget has not been well reviewed, in one case saying "due and owing Operating Expenses", when they intended to say "due and owing Operating Expenses." A business manager would be hired. The "capital lease" costs appeared to be understated in year 2 and no costs in year 1.

The Financial Plan only partially met criteria for approval due to a number of reasons. The review team noted that budgeted building lease costs were significantly higher than other charter schools in the same geographic area. According to the Budget Narrative submitted in the application, "Facility costs are based upon historical costs of other Imagine Schools in Nevada." When asked about the lease agreement in the Capacity Interview, a member of the Committee was able to cite a per-square foot cost but the Committee didn't appear to conduct a more thoughtful analysis regarding suitability of the proposed facility – a noteworthy finding given the

national and local attention paid to the Imagine Schools Inc. questionable leasing arrangements. The Imagine Schools Inc. lease for furniture and equipment (@\$750/student in year 2, term of 4 years) was proposed as a “4 year depreciable capital lease, no buyout.” The budget did not appear to accurately reflect the cost of the lease. More detail is needed to understand if the proposed lease is operating (the school does not own the asset at lease end) or capital (the school would own the asset at lease end).

The contingency plan appeared solely reliant upon Imagine Schools Inc. to ensure sustainability of the school. Such reliance on the EMO does not demonstrate the Committee has thoughtfully approached their commitment to maintaining the financial viability of the school. The Committee intends to contract with Imagine Schools, Inc (Imagine) an Educational Management Organization. The following description is from the Imagine website (<http://www.imagineschools.com>):

Founded in 2004 by Dennis and Eileen Bakke, Imagine Schools is a full-service operator of public charter schools. Like all charter schools, Imagine charter schools are publicly funded while privately operated. Imagine Schools operates 70 schools in 12 states and the District of Columbia. As a full-service charter school operator, Imagine is basically a multi-state “school district” educating approximately 38,000 students.

Imagine Centennial intends to contract with Imagine for charter school management services which include the provision of educational services to students and the operation and maintenance of the charter school. The agreement as proposed is for a term of two years. Imagine would receive an “administrative allocation” equal to 12% of the school’s total revenue (appeared to be conflicting information regarding which funds are included in determining a total). The allocation would pay for administration (4%) and for educational program (8%). The administrative allocation appeared to be fixed at 12% and perhaps not sensitive to school need or efficiency. Imagine Centennial would also pay Imagine for other costs, including purchases Imagine makes on behalf of the Centennial board, Imagine direct expenses, Imagine personnel costs, and operating advances.

Imagine Schools, Inc did not meet criteria for recommendation of approval because the EMO did not provide relevant evidence of educational and management success. The track record of operational and academic success of Imagine Schools Inc. nationally and here in Nevada is in question. Imagine Schools Inc. reports having seventy-one charter schools in thirteen states. Although some Imagine Schools Inc. charter schools are performing well academically, there are just as many Imagine Schools Inc. charter schools performing below average academically. For example, Missouri Department of Education closed all six of their Imagine Schools Inc. schools due to academic and fiscal issues. The explanation provided in the application appeared to be that Imagine Schools Inc. attempted to resolve the “problem” in February 2011, four years after many of the campuses opened.

There are two charter schools currently in Nevada that contract with Imagine Schools Inc. —100 Academy and Imagine Mt. View. The 100 Academy opened in 2006. Student population is predominately African American with a high percentage of economically disadvantaged students. Neither the elementary school nor middle school made AYP for 2011-2012 with an elementary school designation of In Need of Improvement Year 3-Hold and a middle school designation of In Need of Improvement Year 2-Hold. In terms of growth data, the elementary and middle school ranked respectively in the 32nd percentile and 52nd percentile in Reading and in the 45th and 42nd percentile in Math. The school also has a long history of core subjects being taught by an exceptionally low percentage of highly qualified teachers; in some cases, 100% of teachers in core subjects were not highly qualified.

Imagine Mt. View opened in 2011 with a fairly evenly mixed student population of African American, White, and Hispanic. Because the school opened as a K-2 school, there is no state academic accountability report available for 2011-2012 school year; however, the percentage of classes taught by highly qualified teachers

was higher than the 100 Academy. It is too early to speak with much certainty about the outcomes of Imagine Mt. View; more time is needed for Imagine Mt. View to demonstrate success.

Quest Academy Preparatory Education formerly contracted with Imagine Schools Inc., but broke from them in 2011. Overall the existing academic track record is not compelling.

Imagine Schools Inc. has come under scrutiny nationally as well as here in Nevada. An April 6, 2010 Las Vegas Sun article entitled Charter School Families Find They Have Little Say Over Company stated, "The concerns of the Valle community are familiar refrains involving Imagine Schools. Similar complaints about exorbitant fees for management services, high rent and lack of local control by the governing board have surfaced at 100 Academy, as well as campuses in other states." The proposed lease appears consistent with problematic lease agreements at other schools contracting with Imagine (typically through Imagine Schools Inc. affiliate School House Finance).

Imagine Centennial's CTF is comprised of 5 members. Hadassa Lefkowitz is an elementary school teacher in the Clark County School District. Anna Webb is also an elementary school teacher in the Clark County School District. Dennis Shinn is currently an IT instructor and course manager at Integrated Technologies Corp. Susan Aveni is an assistant accounting manager with the Howard Hughes Corporation. She has also worked as an Internal Auditor for E & J Gallo Winery. Julie Williams is the owner of Clear Waters, a local pool care company in Las Vegas.

The Committee to Form Imagine Centennial did not appear to have the capacity to oversee the successful development and implementation of the education program as presented; to oversee the effective and responsible management of public funds; and to oversee and be responsible for the school's compliance with its legal obligations. The Committee did not appear to have conducted due diligence in their selection of Imagine Schools Inc. as the EMO. The application included a number of reasons and criteria upon which the Committee selected Imagine Schools Inc.; however, in the Capacity Interview no members of the Committee were able to speak to specific services they would receive from the EMO, other than general reference to "infrastructure", "tools to make the charter successful", "development of staff", and "fund the cost if the Committee to Form does not". Additionally, no Committee members were able to speak to or specify the costs (administrative allocation or otherwise) stated within the contract.

The Committee also cited that a benefit of the relationship was that Imagine would provide the lease – "a big part of this is the lease that Imagine will provide". Confusing the management contract between Imagine Schools Inc. and the school with the lease was troubling especially in consideration of the publicity related to Quest Academy (e.g., "Battle Rages Between Charter School and Management Company" Las Vegas Sun, June 30, 2011 and "Charter School Families Find They Have Little Say Over Company" Las Vegas Sun, April 2, 2010). That the Committee was apparently unaware of this history and the proposed higher than average lease costs, and the lack of thoughtful analysis of the lease was troubling.

Neither the application nor the Capacity Interview left the Review Team with the confidence that the Committee fully understood their duties and responsibilities as public servants.

Members of the CTF then presented to the Authority. Hadassa Lefkowitz, CTF liaison, gave background on the CTF and the process that had led them to submit a charter school application. Members of the Authority asked Ms. Lefkowitz about the due diligence the CTF performed when looking into Imagine Inc. as the EMO for their proposed charter school. There has been some negative information regarding Imagine schools that are currently in operation and the Authority asked the CTF their thoughts about this information. The CTF said they had seen some of the stories but felt that it was not a large enough inhibitor for them in choosing Imagine Inc. Ms. Lefkowitz also spoke about the Imagine schools currently operating in Nevada and pointed to their success as a reason their charter school application should be approved.

Members of the Authority had concern with the information that had been submitted to staff prior to the meeting. Member Van felt that staff should have the opportunity to look over the new information and the recommendation that was currently before the Authority did not account for these new submissions. He said staff should look over the new submission and work with the CTF during the resubmission period.

Ms. Lefkowitz said there was confusion between staff and the CTF about missing items in the application and said that the CTF were not made aware of the missing elements during the submission window. She said with better communication, many of the problems with the application could have been addressed prior to this meeting. Chair Conaboy said she was concerned with the amount of missing documents in the original submission and how that reflected on the capacity of the CTF to run a successful charter school. Ms. Lefkowitz said it was a regrettable oversight but not something that would hamper their ability to run the charter school.

Vice Chair Wahl asked that Director Canavero clarify the application for the board in order to see where some of the communication breakdowns came from and maybe identify some solutions where staff and the CTF could work together.

Gus Flangas, attorney for Imagine, then spoke on behalf of Imagine Inc. He felt the Authority was being unfair in its criticism of the Imagine application. He said even though there were negative stories about Imagine, the EMO had taken steps to remedy those problems. He also said the success or failure of a charter school is based on the people involved with the school and this CTF was very capable to run a successful charter school.

Member Van added that he knows Mr. Flangas in his professional life but it would have no bearing on his decision about the charter application that was before him.

Member Mackedon, Van, and Chair Conaboy again asked about the oversights the CTF had during the application process and still were concerned with the answers that were provided. Member Mackedon said that while she could understand collating errors she was still apprehensive with the progress measures that Imagine was proposing to use. Member Mackedon felt it is a charter school's responsibility to strive to be better than existing charter schools but the growth targets that imagine proposed were not better than what is already being done. Vice Chair Wahl added that staffs due diligence had brought to light these statistics and she did not understand how Imagine was now presenting new statistics to the Authority that staff had not had the chance to review.

Chair Conaboy called for a motion.

Member Mackedon made a motion for approval of the staff recommendation for denial of the Subsection 7 Charter for Imagine Centennial. Member Luna seconded the motion. No discussion took place. 5 members voted to Aye approve. Member Van voted Nay.

Agenda Item 12 - Consideration regarding the Application Review Team's recommendation of Promise Academy's charter school application

Director Canavero began by detailing the Promise Academy's Charter Recommendation:

The K-5 school proposes to serve second language, low socio-economic students who have been underserved. The applicants intend to meet common core standards through instructional strategies that include: encompassing balanced literacy across the curriculum, using a language experience approach, process writing, utilizing cooperative learning, and include an inquiry approach to teaching and learning. The yearly academic calendar accommodates instruction in reading, language, social studies, mathematics, science, art, music, physical education, and computers. The Education Program did not meet criteria for approval because, even though the school seeks to address a very real need, the level of detail provided in the application was not sufficient to suggest that the school described would provide a superior education for the students in the target group. The Review Team's overarching concern was that elements of the Education Plan lacked detail,

coordination, and frequently were not aligned with other aspects of the proposal. The Committee to Form clearly demonstrated a desire to improve the education of English language learners from low-income families; however, the Education Plan contained a number of weaknesses that undermine the Evaluation Team's confidence.

No comprehensive, sustainable plan for professional development was found in the application. The plan for professional development lacked sufficient detail and did not bring together the variety of activities and trainings referred to elsewhere in the application. As proposed, there appears to be no professional development throughout the school year – only at the beginning and end. The proposed school's mission listed academic achievement as a primary focus, yet the goals included in the application would not necessarily result in improved student learning and appear to fail to hold the school accountable for the learning of students who have been in their care for less than 3 years. Although partially explained in the Capacity Interview, any goal expecting students to grow by less than one full year in language proficiency implies acceptance of a level of achievement that will not make a true difference in students' lives. No clear and compelling alignment existed among the proposed school's mission, curriculum, and instruction. The Education Plan omitted information in some areas, and failed to provide adequate detail in a number of others. Many of the assertions made within the application were not adequately supported through research or other evidence. The applicants have laudable aims to serve an at-risk population of students.

The members of the Committee to Form the School (CTF), and the NRS 386.520 membership requirements each one meets, are: Liaison: Katie Pellegrino, educator, Dorothy Heenan, financial, Nicole Martin, educator, Patricia Moyer, human resources, Laura Esparza-Picos, parent, Amy Zeiders, educator. According to the board bylaws, the first board would consist of the members of the CTF. The proposed school would not contract with an Educational Management Organization (EMO) to assist with the provision of educational services at the school; it would not provide distance education courses and/or programs. The school's administration would consist of a Principal and Assistant Principal/Financial Operations Operator. The school would use a student:teacher ratio of approximately 18:1. Teachers will be encouraged to hold a TESL license endorsement. The application identifies the school's administrator: Katie Pellegrino.

The Operations Plan did not meet the criteria for approval because the application failed to provide an effective plan involving parents, professional educators, and the community in governance of the school. The application also failed to demonstrate an understanding of management needs and priorities including a staffing plan that appeared viable and adequate for effective implementation of the proposed plan. The narrative section included a laudable intent to find members of the community, parents, and others to serve on the board; however, there was no clear plan to recruit board members included in the application. A clear and well developed plan to recruit members was needed in consideration that the current members of the Committee to Form (CTF) the school are family members, friends and former co-workers of the proposed principal. While some degree of connection among members is common, the lack of additional members outside this circle called into question the Committee's ability to recruit additional members. Additionally, the Committee's understanding of their role as board members appeared to vary somewhat, with management mentioned on a number of occasions and fiduciary duty/performance oversight almost uniformly omitted. Other areas of the Operations Plan were unclear or lacked detail to an extent that made it impossible for the Review Team to conclude that the school could be prepared to open on schedule and successfully serve students. For example, a financial officer was mentioned on the organizational chart but there was no associated job description. The organizational chart did not include the school's board and did not show clear lines of authority. The Operations Plan did not contain adequate strategies for recruitment and retention of effective teachers. With additional time and experience, the Committee and school leaders can strengthen the operations plan and could be successful in the future. No pre-opening budget is presented. Budgeted enrollment for years 1 and 2 is 216 and 288 students, respectively. The DSA calculation sheets used 259.2 and 331.2. Both the budget and the cash flow statements are incomplete and incorrect to the degree that no meaningful conclusions can be drawn. For example, no rent, utilities, contracts, insurance or SPCSA fees are

included in cash flow. Budget shortfall contingency plans are nebulous, making statements such as “Hopefully, all budget shortfalls will be identified in a sufficient amount of time to address.” and “We will actively pursue donations and apply for grants to assist with any budget shortfalls, as well as pursue fundraising opportunities.” At one point in the application, reference is made to an office manager and an accountant. In another place, they state that “Promise Academy does not know the position title/name of individual at the school, name of accounting firm, or contact person who will be handling the school’s financial liability.”

The Financial Plan did not meet criteria for approval because the number and weight of errors and inconsistencies made in the budgets did not exhibit sufficient capacity by the Committee/school leadership to manage the business functions of a charter school. The Committee did not outline viable strategies for meeting potential budget and cash flow challenges outside of a statement that teachers would be notified when they need to begin paying for desired supplies on their own. Multi-grade classrooms were presented as a strategy to meet initial year financial challenges yet there was no mention in the Education Plan of multi-grade classroom instructional models. The budget, as proposed, did not present a financially viable organization – revenue in the first year was outstripped by expenditures. Enrollment numbers were not consistent within the charter school application. The budget projected enrollment higher than other areas of the application. Expenses were omitted (e.g., facilities) or estimated to be lower than one can expect. The Committee indicates they are pursuing sponsors/donors but no information has been given to suggest that they have been successful in the past or up to this point.

In the Capacity Interview the Committee acknowledged the lack of capacity in finance and is encouraged to expand membership to include expertise in this area. Promise Academy’s CTF is comprised of six members. Dorothy Heenan is the Assistant Vice President of Transaction Accounts at One Nevada Credit Union. Nicole Martin is a Clark County Special Education teacher. Patricia Moyer retired in 2008 and now is a front desk attendant volunteer with the Cleveland Clinic Lou Ruvo Center for Brain Health in Las Vegas. Kathleen Pellegrino has a Master’s in Education Administration and is currently a Literacy Specialist at Edwards E.S. in Clark County. Amy Zeiders has a Master’s of Education in Curriculum and Instruction and is currently an ELL teacher in Clark County. Laura Esparza-Picos is a parent of a child at the proposed charter school.

The Evidence of Capacity partially met the criteria for approval because the application did not provide sufficient evidence that the proposed administration of the school has a record of success in a leadership capacity. Likewise the poorly constructed budget and financial management plan did not demonstrate competency of the Committee to direct the business functions of the school, and the proposed board as a whole lacked a record of success or demonstrated experience relevant to accomplishing the ambitious tasks presented in the application. Deficiencies in all areas of the application suggested that the Committee/leadership team needs more time to develop its plan and cultivate capacity (in the Committee and proposed board) and partners to bring to life its vision for a successful school. The Committee is commended for their desire to start a charter school specifically serving English language learners. The Committee brings a wealth of experience in professional practice working with English language learners in Clark County.

Chair Conaboy asked the CTF to come forward to present to the Authority. She asked that they give a brief background about why they were involved with this charter school application. Each member of the CTF went over their personal history and why they wanted to be part of the Promise Academy charter application. The CTF then spoke about different aspects of the school and gave response to staff’s recommendation. The CTF said they would be operating an English school and not a Dual Language school. They also contended that their program was research based and would be a successful program to implement in Clark County.

Vice Chair Wahl commended the committee for its hard work and encouraged them to resubmit during the resubmission window.

Chair Conaboy asked the CTF if they would like to address staff's recommendation regarding the lack of financial capacity on the CTF. Ms. Pellegrino said that during the application process the financial portions were the most difficult. She said they were under the assumption that by receiving the Subsection 7 they would have the opportunity to clear up the financial information. Chair Conaboy said her understanding of statute was different in that the CTF needed to provide relevant financial data pertaining to their charter school in order to receive the Subsection 7 in the first place. Director Canavero added that Chair Conaboy was correct in her understanding of NRS. Ms. Pellegrino added that they would be providing the Professional Development to staff and they added it to the beginning and back of the school year in order to minimize student interruption. Member Mackedon commended the CTF for this idea, but she encouraged them to address the financial deficiencies as soon as possible because she felt those were the most important issue that needed resolution first.

Member Abelman made a motion for approval of the staff recommendation for denial of the Subsection 7 Charter for Promise Academy. Member Van seconded the motion. No discussion took place. The motion carried unanimously.

Agenda Item 13 - Consideration regarding the Application Review Team's recommendation of Legacy International College Prep Academy's charter school application

Director Canavero began by detailing the Legacy International's Charter Recommendation:

Legacy International College Prep Academy proposes to maximize student academic achievement and prepare students in grades 4-12 for college, careers, and life-long learning. The proposed targeted school population would be athletes and student performers who may or may not be at-risk of failing due to athletic and performance schedules. The school proposes to use distance education curricula in a blended learning format. Students would have the opportunity to complete coursework online from a variety of distance education providers such as APEX, Connections, and K12, but also have the opportunity to work face-to-face with teachers located at a designated school site. Grades K-3 may be added at a later date. The Education Program did not meet the criteria for approval because the plan was not adequately developed to determine whether the model could be successfully implemented.

The Capacity Interview helped clarify the Committee's and Educational Management Organization's most recent thinking regarding the number of curriculum providers and the manner by which the different platforms would coordinate for the benefit of students. However, further development was needed in this area and the application must reflect the intended curriculum and management thereof. Many of the educational as well as organizational goals identified in the application did not meet the SMART stipulation. Further refinement of the goals would be needed in order to measure the program's success with students. The Review Team suggested revisiting the entire section that addresses how Legacy would serve Special Student Populations. The idea behind Legacy, to provide student athletes and other high-level student performers with a top-notch college preparatory education while allowing them the flexibility to pursue their talents, is commendable. The applicants' provision of information on the number of such students present in Nevada was helpful and appeared to indicate that there is a potential need for an educational model of this type. The Committee is encouraged to further refine their understanding of the school and develop an application that more clearly articulates the Education Program.

The members of the Committee to Form the School (CTF), and the NRS 386.520 membership requirements each one meets, are: Liaison: David Meckley, educator; Mia Banks, "business and parent;" Porter Troutman, educator; Chuck Edwards, human resources; and Ryan Krametbauer, legal. According to the board bylaws, the first board would consist of the members of the CTF. The proposed school would contract with an Educational Management Organization (EMO) to assist with the provision of educational services at the school: Legacy Innovations. The school would provide distance education courses and/or programs. The school would hire a principal, an office manager, four teachers, four tutors/teacher aides. A student:teacher ratio of 30:1 is anticipated. The application does not identify the school's administrator.

The Operations Plan did not meet criteria for approval because the application failed to correctly identify the kind of school based on the grades that would be served during the first year of operation nor included a staffing plan that appeared viable and adequate for effective implementation of the proposed education program. The Committee was applying for a school to serve grades K-12, but openly admits that the model may not be suited for younger students. The Review Team commended the Committee's honest assessment but would have liked to see the Committee provide a thoughtful strategy to address potential areas of weakness for younger students or deliver an application that clearly identified the grades for which the Committee believes the model to be well suited. Very little information was provided on the hiring process or desired qualifications for the "highly qualified" staff. Given the complexity of the model, the lack of clear pipelines of talent, and the fact that teachers would be working with students in multiple grade configurations, clear recruitment and retention strategies should be developed. Similarly, the information provided on policies and procedures relied heavily on assurances of future compliance rather than proof of work done toward these goals.

Critical attachments did not contain an adequate level of detail to enable the Review Team to determine whether the suggested school would be able to operate properly. For example, the organizational chart lacked clear lines of authority, making it difficult to determine who would be responsible for which employees. It is unclear why the creation of an EMO is necessary at this time and no clear growth plans were put forth. Budgeted enrollment for years 1 and 2 is 120 and 240 students, respectively, yielding positive fund balances of \$630,840 and \$1,261,680. Year 1 results include a projected beginning balance of either \$48,000 or \$50,000, depending on the source, \$48K stated in the pre-opening budget, \$50K from the FY14 cash flow statement. In either case, the \$80,000 pre-opening donation from the Darling Tennis Center is not documented as a secure commitment from DTC. Mention is also made of potential fundraisers, seeking donations from local organizations, salary reductions from already low salaries and requesting the principal and teachers to work without pay for periods of time. An office manager will be hired.

The Financial Plan did not meet criteria for approval because the application failed to demonstrate an understanding of the school's financial management obligations nor presented a budget that supported key parts of the school's plan. Some line items did not match the education plan, and no narrative explanation was provided. For example, the school projected 120 students during its first year of operation, and intended to hire only 4 teachers who would perform small/whole group instruction on an "impromptu" basis, it budgeted for 8 smartboards. The salaries listed for teachers, at \$25,000 were inadequate even for part-time instructors given the variety of grade levels and the certain complexity of tracking student progress. The \$5,000 listed for tutors was unrealistic. The budget assumed that facilities would be available for free, but no letter of commitment from any partner agency was provided. The budget failed to provide any allotment for substantial expenses such as insurance. No insurance or rent expense was included on the cash flow statement. Outside revenue was not budgeted for or included as cash flow. DSA did not account for kindergarten (60% of basic support). State Fee should be 1 ½ %, currently shown as \$960.00 which is less than 2/10ths of percent. If outside revenue had been calculated correctly, the fee would be \$11,316.60.

The number and depth of mistakes in the budget as well as the lack of internal alignment with the proposed education and operations plan undermined the Review Team's confidence in the proposed school. Legacy International College Prep Academy intends to contract with Legacy Innovations International (LII) an Educational Management Organization. It appears as if LII was created for the sole purpose of contracting with Legacy International College Prep Academy, as it does not have any other contracts with charter schools. According to the contract included in the application, Legacy International College Prep Academy intends to engage LII to provide academic, administrative and financial services and support to the school. Legacy Innovations International will charge the school \$500 per FTE pupil (\$417 in first year). The contract also contains a trademark license and affiliation agreement for use of the Legacy International College Prep Academy (Trademark). The trademark contract contains a fee of 1% of the guaranteed basic support payment per pupil funding that the school receives.

Legacy Innovations International did not provide compelling evidence of the company's educational and management success. The application relied upon the personal success of Dr. Grubaugh and Dr. Levitt (the principals of LII) in somewhat related endeavors as a proxy for the EMO's track record. Further, the application included a reference to a parent's testimony but the testimonial itself was not provided.

LII appears to be spun off from the Legacy International College Prep Academy pilot program and the Darling Tennis Center Junior Athletic Program. Unfortunately, despite the advantages of having run a year-long pilot, the application failed to capitalize on the potentially rich data available and did not contain much information regarding how qualitative findings would be incorporated into the model. Likewise, despite more than 20 students participating in the pilot program, meaningful quantitative data was not included. The information provided by the applicants with regard to the performance of the students in the pilot program was anecdotal at best, and so unclear as to be nearly useless in attempting to determine the efficacy of the academic program and LII prior success.

Legacy International's CTF is comprised of five members. Dr. David Meckley is a Curriculum and Instruction professor at UNLV. Col. Charles Edwards is a retired USAF colonel. Mia Banks is the Director of Table games Macau Casino Operations. Ryan David Krametbauer is a lawyer at the Law Office of William Brenske and Porter Lee Troutman is a professor of Curriculum and Instruction at UNLV. While members of the Committee have strong professional experience and training, the insular nature of the Committee, which appears to primarily be a group of the founders' (and EMO principals') friends and colleagues, calls into question the ability of the future board to fulfill its obligations, most notably, holding LII accountable. Compounding this issue was the Capacity Interview which was attended by only one member of the Committee. It was impossible to understand the Committee's knowledge and understanding of the application and due diligence in the selection of LII as the EMO. Numerous material deficiencies in the application called into question the Committee's ability to found and sustain a quality charter school and Legacy Innovations International's ability to consult with a Committee to assist in the development of a viable program.

Chair Conaboy asked Director Canavero if anyone from the CTF was present. Director Canavero said there was no one from the CTF present but there were to members of the Legacy EMO who would be willing to speak to the charter application.

Steve Grubaugh and Greg Lockridge said that Dr. Meckley was on a 6 week cruise and was unable to attend today's meeting. He said the entire CTF had a lot of issues with their scheduling. Chair Conaboy recommended that they go over the model with the Authority since they could not represent the CTF of the charter school.

Dr. Lockridge explained the program and how it would be geared to high achieving students who were pursuing extracurricular activities such as tennis and events. He said this would cater to their unique needs and still provide them with a quality education while allowing them to excel in their extracurricular activity. Dr. Lockridge also added that there were about 2,000 students in Clark County that fall into this unique category and he was surprised by that number because he didn't realize it would be that high. Vice Chair Wahl encouraged them to expand beyond athletics and include actors or other students who are excelling in other extracurricular activities. She also asked for clarification about why she was unable to find any information about the EMO online. Dr. Lockridge said that because it was just formed and there is nothing online for her to look up.

Chair Conaboy recused herself from the vote after disclosing her employment relationship with K12 Inc.

Vice Chair Wahl said that it was disconcerting for her to see in the staff recommendation that only one member of the CTF had shown up to the capacity interview and now there were none here for the application hearing. Dr. Lockridge reiterated that it has been tough with everyone's schedules and it has been almost

impossible to get everyone together during the weekdays. Member Mackedon said she was very intrigued by this application but her advice was to find a committed board who would be able to attend these important meetings.

Member Abelman made a motion for approval of the staff recommendation for denial of the Subsection 7 Charter for Legacy International. Vice Chair Wahl seconded the motion. No discussion took place. Chair Conaboy abstained from the vote. Member Van was absent. The motion carried unanimously.

Agenda Item 14 - Member Comment

None

Agenda Item 15 – Public Comment

None

Agenda Item 16 – Recess

The meeting was recessed at 4:30 p.m.

RECALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE;

President Conaboy recalled the meeting to order at 9:02.m. with attendance as reflected above.

Agenda Item 17 - Report on and possible consideration of Quest Academy's proposed purchase of real property

Connie Jordan presented on behalf of Quest Academy and began by updating the Authority on the proposed purchase of real property. Along with Ms. Jordan she brought all of the people involved with the transaction of the property for Quest Academy. Kimberly Maxson-Rushton, attorney for Quest Academy, was asked to speak by Ms. Jordan.

Ms. Maxson-Rushton began by going through the contract process, city planning, zoning, and architectural work that had been done up until this point. She said the city had approved all of the preliminary zoning contracts, but Quest Academy would still need the final approval from the Authority to move forward with final approvals from the City of Las Vegas.

Vernon Law, Vice President of Quest Academy Governing Board, spoke on behalf of Quest's Board's work to ensure the security of the property purchase. He spoke about the additional information that had been submitted to SPCSA staff and he felt that all the documents submitted were accurate. He asked for the support of the Authority in the approval of the property purchase by Quest Academy.

President Conaboy asked Director Canavero about the documents that had just been submitted to SPCSA staff by Quest Academy that morning. Director Canavero said that staff had not had time to review the documents. He said that staff had additional questions from prior documents that were submitted by Quest Academy and the documents submitted that morning were probably the documents that staff had requested. President Conaboy also added that the Authority Board had also not had time to review the latest submitted document.

Robin Vitiello, bookkeeper for Quest Academy, gave background on the submitted documents. She said there were updated budgets and plans that SPCSA staff had requested in their October letter. Lucretia Gladwell, finance manager for Quest Academy, also added that Quest had corrected some of the budgeted revenue and expenditures in their plan due to some oversights on her part. She also added that Quest did have a plan in case the property purchase was not completed in time for students to use in the upcoming school year. Ms. Vitiello also spoke about the bid process that SPCSA staff had inquired about. She said they began the process at a national charter school conference where they met with a variety of different builders and planners. Ms. Vitiello also added to Ms. Gladwell's statement about the backup plan in case the property purchase did not go through. President Conaboy asked if Quest Academy still needed to go before the Las Vegas City Council, but Quest said that it only is a matter of protocol and the City Council would not need to hear them at their meeting.

Vice President Wahl asked about the \$50,000 earnest deposit that was made by Quest. Ms Gladwell said they had made the deposit for the land, but Vice President Wahl still was not clear about why the deposit was said to have been made to the bank. Mr. Law said that it is what a down payment to ensure the owners of the land that Quest Academy was serious about the purchase. Vice President Wahl was still not clear about why in documents submitted by Quest the earnest deposit board approval was scheduled for October 19, but Quest was already saying they made the payment. Mr. Law said there was an error in the submitted timeline and the payment approval had already been made in August.

Member McCord asked that he be refreshed about who would hold the debt obligation in the case of the school being closed for any reason. Deputy Attorney General Shane Chesney said that in the case of the school closing the State would be the owner of the security interest in equity but the school would still be responsible for the debt. Member McCord also added that the timeline of construction being submitted by Quest Academy seemed ambitious. He felt the timeline might be too short for the necessary building to be completed. Member

Van also added that he felt the timeline would be a concern because of construction issues on the side of the valley that Quest going to build on.

Director Canavero discussed the communications between SPCSA staff and Quest Academy. He said he had received documents that he was unaware were going to be sent to him. At first, SPCSA staff was working with Quest to approve their purchase for a Kindergarten facility, but then Quest submitted new documents for the purchase for an entire new piece of property. Director Canavero felt the process did not go as well as he would have liked but what has happened has happened. He then gave a recommendation to the Authority for action. Director Canavero recommended approval subject to staff review of the information that was received in response to the October 16th letter. Staff would have two weeks to approve the new information and in the event there is no approval, then the request is a denial.

President Conaboy agreed with the recommendation and asked for a motion from the Authority.

Michael Van motioned for approval subject to staff review of the information that was received in response to the October 16th letter. Staff would have two weeks to approve the new information and in the event there is no approval, then the request is a denial. Member McCord seconded. Discussion between Authority members ensued.

Vice President Wahl was not comfortable with the motion because the Authority would be approving something that SPCSA staff and Authority members had not read. Vice President Wahl asked Director Canavero if he felt that it would be feasible to work within the timeframe that was being included in the motion. Director Canavero said yes he felt the timeline was feasible. Member McCord asked Director Canavero if Quest Academy had been a good-faith partner during this process. Director Canavero said yes Quest Academy had been a good-faith partner. Member Van was asked to repeat the motion for the vote.

Michael Van motioned for approval subject to staff review of the information that was received in response to the October 16th letter. Staff would have two weeks to approve the new information and in the event there is no approval, then the request is a denial. Member McCord seconded. Motion carried unanimously. (Abelman Abstained)

Agenda Item 18 - Consideration regarding the Application Review Team's recommendation of Nevada Performance Academy's charter school application

Director Canavero began by outlining the SPCSA staff's recommendation for Nevada Performance Academy: Nevada Performance Academy proposes to offer a distance education program in a flexible blended format that is arts-based and arts infused to students in grades 7-12. The school proposes to use a variety of distance education curricula such as APEX, Aventa, and Florida Virtual, but also allow students the opportunity to engage in face-to-face instruction at a designated school site. Since an online arts infused curriculum does not currently exist, the school proposes to develop an arts-based and arts infused curriculum in all subject areas within its first six-year operational cycle.

The Education Plan met criteria for approval because the proposed plan was comprehensive, detailed and aligned with the rest of the application. Nevada Performance Academy integrated the most recent research in arts-infused curriculum and provided a framework for developing essential student educational outcomes and the instructional model (blended learning) by which to deliver the proposed curriculum. Key research was provided in the emerging field of blended learning to further define the Flex model which would be used at the school. The Committee demonstrated, in the application and Capacity Interview, a deep understanding of the education plan. The Committee was able to demonstrate in the Capacity Interview an appreciation for the critical role of a Learning Management System in a school that does not rely upon a single distance education curriculum.

The Committee clarified the plan for refinement of the arts-infused curriculum and provided a thoughtful approach to shifting from 100% commercially available curriculum to 90% in-house developed arts-infused curriculum. The Committee acknowledged that arts-infusion in the early years of the charter would change dramatically as they roll out the school-developed arts-infused curriculum. The Review Team had confidence in the Committee, especially the technical knowledge of Committee Liaison Mr. David Papke, to oversee the development and implementation of a new curriculum. The Committee will need to revisit the plan to serve students in accordance with IDEA. The Review Team commends the Committee on the proposed development of innovative in-house curriculum and the Committee's firm commitment to open source the developed curriculum to other schools.

The members of the Committee to Form the School (CTF), and the NRS 386.520 membership requirements each one meets, are: Liaison: David Papke, educator; Natalie Berger, parent; Denise Gilliott, "business"; Eugene Paslov, educator; and Molly Walt, educator. According to the board bylaws, the first board would consist of the members of the CTF. The proposed school would not contract with an Educational Management Organization (EMO) to assist with the provision of educational services at the school. The school would provide distance education courses and/or programs.

Licensed subject matter teachers would be the "teachers of record" for all required courses. The school would hire a principal, counselor/testing specialist, two tutor-coaches, three performance specialists, an attendance clerk, five licensed teachers of record, and a halftime nurse. Tutors, performance assistants and support staff would also staff the school. The application does not identify the school's administrator.

The Operations Plan was generally sound and met criteria for approval. The Committee (first governing body) appeared to understand its appropriate role in governing the proposed school. The Committee included the performance, arts, education technology and education expertise one would expect in an arts-infused, performance school, but appeared to include no particular human resources, law, or financial services expertise. Additionally, the school provided a number of letters of support from community leaders and civic organizations.

The Committee was able to explain a realistic staffing design for the school. The staffing plan for the school was unique and brought additional capacity into the school. The Committee was able to clarify the role of the coaches and performance specialists during the Capacity Interview. Although there may be technical edits to correct certain items in the application (e.g., bylaws) the overall plan was sound and address the evaluation criteria noted in the application. The Review Team has confidence that the Committee will correct noted deficiencies.

Pre-opening expenses of \$20,500 are projected to be paid through attempts to secure grant money, recruitment of volunteer workers, seeking of cash donations and negotiation of credit terms and financial arrangements with vendors. Budgeted enrollment for years 1 and 2 is 180 and 240 students, respectively, yielding positive fund balances of \$15,259 and \$49,470. Copies of both years' cash flow statements were submitted with a major portion truncated such that they were not reviewable. No budget shortfall contingency plan beyond pre-opening is mentioned. No business manager will be hired. The principal will be primarily responsible for handling all finances. The Financial Plan partially meets the criteria for approval. The Committee did not address or set aside funding to provide transportation for eligible Special Education students. This must be contemplated and accounted for in the event that a student qualifies for transportation services through their IEP. The Emergency and Crisis Response Plan must be tailored to the unique situation at Nevada Performance Academy as the plan included in the application makes inappropriate reference to positions not included in the school's application.

The Review Team encourages the Committee to reconsider their decision to not hire an individual with a finance/accounting background to provide the school with day-to-day fiscal management. The Committee's

capacity in this area, as discussed under Operations Plan, was unclear. The Review Team doesn't see how, practically speaking, the school's leader will balance all aspects related to the operations and instructional program with those associated with the school's business. At a minimum, revised cash flow statements are required to be submitted. If the Committee makes changes to the staffing or other aspects of the school that have a fiscal impact, then a complete resubmission is necessary.

Nevada Performance Academy's CTF is comprised of five community members. David Papke is a teacher with Turning Point and has experience teaching at Silver State High School. He also has a Master's in Social and Cultural Studies in Education. Eugene Paslov is a retired State Superintendent of Public Instruction and served on Silver State High School's governing board. He has served on numerous local, state and national education committees and task forces including, but not limited to, Governmental Relations and Strategic Partnerships, WestEd, and New Standards, and the Carson City Cultural Commission. Denise Gillott is a real estate agent at Coldwell Banker Select. Denise also serves as the interim chair of the Carson City Arts and Cultural Coalition, vice president of the Pinkerton Ballet Theater, and is a youth leader with the Bethlehem Lutheran Church. Natalie Berger is a performer who currently teaches modern dance and ballet in Carson City. Natalie has performed in the Nutcracker Ballet; the Nagano Winter Olympics, Area 51 Dance Company, and Ririe Woodbury Modern Dance Company. Natalie also worked as a social worker in Gardnerville and Reno NV. Molly Walt is the current Carson City Supervisor and is a personal tutor and educational consultant in Carson City. She has served on various community boards including; Smiles For Miles, Food For Thought, Pinkerton Ballet Theater, and Wide Smiles Classic Youth Basketball Tournament. The Evidence of Capacity meets the criteria for approval because the Committee, through the application and Capacity Interview, demonstrated the ability to successfully refine and implement the education program; to oversee the effective and responsible management of public funds; and to oversee and be responsible for the school's compliance with its legal obligations.

Collectively the proposed members of the school's first governing body have experience teaching at and being board members of a charter school, real estate, education technology and virtual learning, dance instruction, and non-profit board membership. Of particular note, David Papke has extensive knowledge and practice in the delivery and development of online curriculum and brings technical expertise in the emerging field of online and blended learning. The Review Team considers his ongoing participation in the school to be a key driver to its success.

The Committee to Form then testified before the Authority. Before they began their testimony Member McCord disclosed his longtime friendship with Eugene Paslov, but did not affect any of the review of the charter application. David Papke and Eugene Paslov gave a brief history of themselves and that asked if the Authority had any questions for the CTF. President Conaboy asked how the curriculum would be arts-infused. Mr. Papke said that a blended school has to use an approved curriculum but often times that curriculum may not be the best delivery for the online environment. He said some modifications of the approved courseware would be needed in order to ensure the arts-infusion would be made within the curriculum. Member Abelman asked why the school had decided not to hire an business or financial manager. Mr. Papke ensured the Authority that they would be moving to hire that person. President Conaboy asked how the school planned on recruiting students. Dr. Paslov said that they have a marketing plan that was included in the application including establishing town hall meetings, blogs, and members of the CTF are already lining up parents of students who would like to see their children attend.

Vice President Wahl made a motion for approval of the staff recommendation for approval of the Subsection 7 Charter for Nevada Performance Academy. Member Abelman seconded the motion. No discussion took place. The motion carried unanimously.

Agenda Item 19 - Consideration regarding the Application Review Team's recommendation of Northern Nevada High School's charter school application

Director Canavero began by detailing the SPCSA staff's recommendation:

Northern Nevada High School proposed to replicate the educational model being used by Nevada State High School in Clark County. The school proposed to offer a dual credit educational program to students in grades 11 and 12 using courses provided by Western Nevada College and Truckee Meadows Community College. Students enrolled in this school would receive college credit while completing their high school graduation requirements. Although the majority of the coursework would be under the authority of participating colleges, the school would offer college support classes and advisement to enrolled students.

The Education Plan met criteria for approval because the overall academic program met the criteria identified in the application and aligned with the mission, vision, and educational philosophy. The Committee identified reasonable growth rates for year 1 and 2 and intends to operate a small school with an enrollment cap of 200 students. The Committee included easily measurable and clear objectives and strong, reasonable academic goals. There is sufficient evidence of demand for a program like the one proposed by Northern Nevada High School. During the Capacity Interview the Committee was able to clarify the intervention and remediation system to proactively support students in addition to the plan outlined in the proposal which appeared more reactive. The Committee indicated that their plan was to adhere to the Nevada State High School model as closely as possible but would consider making thoughtful adjustments if conditions in Northern Nevada present unique challenges not currently reflected in the Nevada State High School model.

The Committee is encouraged to develop a more robust system of professional development for the principal and executive director. This professional development should be linked to need, if not informed by Nevada State High School's experience, and a mechanism to evaluate its effectiveness should be developed. There is evidence that Northern Nevada High School's academic program would be significantly different from that of other public schools and, like the program it replicates, may be viewed as an experiment from which the educational community can learn. The members of the Committee to Form the School (CTF), and the NRS 386.520 membership requirements each one meets, are: Liaison: Kimberly Vidoni, accounting/financial services/law/human resources; Valerie Keglovits, educator; Russ Keglovits, educator; Jamie Borino, parent; Christina Borino, accounting/financial services/law/human resources; and Henry King, community.

According to the board bylaws, the first board would consist of the members of the CTF. The proposed school would not contract with an Educational Management Organization (EMO) to assist with the provision of educational services at the school; it would not provide distance education courses and/or programs. A full time Principal, half time Executive Director and half time Administrative Assistant would staff the school. The Principal and Executive Director would teach the three courses offered by the school. College instructors would teach the dual credit courses. According to the bylaws, "paid positions" are a Chief Operations Officer (COO) and a Chief Academic Officer (CAO). The role of the COO and CAO are not addressed in the staffing plan. The application identifies the school's administrators: Russell Keglovits and Kimberly Vidoni.

The Operations Plan did not meet criteria for approval due to a number of reasons. The bylaws included in the application were inconsistent with and do not support other aspects of the application and the required letter indicating review of the bylaws by legal counsel was not provided. The Committee clarified that the bylaws were from Nevada State High School and the Committee did not wish to incur additional expense in hiring a lawyer to develop and/or review the bylaws and attest to their sufficiency; however certain aspects of the Nevada State High School's bylaws do not apply to Northern Nevada. That the applicants would simply copy another school's bylaws without consideration of the applicability of those bylaws to the Northern Nevada High School plan is of serious concern to the Review Team and indicates the Committee may not fully appreciate the role of governance in the school.

The application stated that the five member governing body would be comprised of the members of the Committee to Form; however the Committee is comprised of three couples (six persons), and two of the six (Vidoni and Keglovitz) would be employees of the board. The wholesale transition of the Committee to the first board would be problematic and impermissible given the real conflicts of interest present. During the Capacity Interview it was not evident that the Committee appreciated the conflicts of interest present when governing board members have a familial relationship with the board's employees. The Review Team suggests the Committee consider a fundamental redesign of the manner by which governing board members are recruited and, in consideration to the insular nature of the present Committee, add Committee members that may transition to the school's first governing body. Please see the guidance provided by the Authority in the Application Packet page 36, bylaw stipulation, 10 and 15.

No pre-opening budget was presented. Budgeted enrollment for years 1 and 2 was 70 and 100 students, respectively, yielding positive fund balances of \$1,616 and \$121,914. No private contributions or grants were anticipated. The school would qualify only for quarterly DSA disbursements, but budgeted for monthly receipts. On the way to a small positive cash balance at the end of year 1, significant negative cash balances were projected for the first 11 months of operations, even after unrealistically low budgeted rent and utilities. Year 2 projected no beginning cash balance after projecting a small positive balance at the end of year 1. Year 2 projected significant negative cash balances in 5 months. Contingent plans in the event of such budget shortfalls included obtaining a short term loan from a bank, applying for competitive State and Federal grants, seeking support from local community groups that support the school's mission, seeking support from national foundations that support the school mission and coordinating a fundraising effort by the members of the Governing Council. It was difficult to understand how many students are necessary to cover expenses (break-even), as the application states 130 in one place and 70 in another. The person responsible for all finances would be the executive director. No business manager would be hired. Because the school did not demonstrate financial viability; the Financial Plan only partially met criteria for approval.

How the school would become operational and ready to serve students by its proposed first day (August 12, 2013) was unclear in the absence of a pre-opening budget or, in lieu of a pre-opening budget, an explanation of how the school planned to become operational given the limited timeframe in which the NVDOE may distribute early payment if the school qualifies. The budget provided in the application was incomplete and did not provide effective cash flow management strategies given the quarterly revenue distribution. The Committee is encouraged to develop and present sound cash flow strategies that would maintain the school's viability and reduce the need to deploy stated contingency plan(s). The Committee would need to identify the true breakeven enrollment figure. The budgets as presented undermined the Review Team's confidence that the proposed Executive Director is uniquely qualified to undertake the day-to-day fiscal operations of the school. It is noted the budget includes \$10,000 annually to pay for ongoing accounting services. Northern Nevada High School proposed to replicate the Nevada State High School model currently operating in Clark County.

Northern Nevada High School would replicate the model used by Nevada State High School in Clark County. Nevada State High School opened in 2004 under the NV State Board of Education and is currently a SPCSA sponsored charter school. Nevada State High School started with an enrollment of 40 students and has built that enrollment up to 245 students in the last eight years. The school has consistently made AYP and has consistently, since 2005, been designated as either high achieving status or exemplary. Graduation rates for Nevada State High School have also been consistently high, being reported at 100% for most years. Nevada State High School's outcomes are compelling and provide evidence of an effective program for Clark County.

Northern Nevada High School is comprised of six community members. Kim Vidoni is currently employed by the Nevada Department of Education where she oversees all State educational technologies. Kim has a PhD in Counseling and Educational Psychology and a Master's in teaching English as a Second Language. Christina

Borino works for the Nevada Department of Education as a Grants and Projects Analyst. Valerie Keglovits is an Educational Technology Specialist and Substitute teacher with the Washoe County School District. She also has a Master's in Elementary Education. Russ Keglovits works for the Nevada Department of Education as an Education Program Professional specializing in Mathematics Education for 7th – 12th grade. Loren Jamie Borino works as support service personnel with the East Fork Fire and Paramedic District. Henry King is also currently employed at the Nevada Department of Education as an Education Program Professional in the Office of Assessments, Program Accountability, and Curriculum. He has a Master's in Teaching English as a Second Language. Each member of the Committee brings a wealth of professional experience to the Committee and is commended for their vision to replicate a successful Nevada charter school model. Two members of the Committee to Form, Ms. Borino and her husband Mr. Borino, have prior experience serving on a board of a nonprofit – All Sports Boosters Program. The proposed Principal does not have prior experience administering a charter school or non-charter public school. The proposed Executive Director does not appear to have the preparation for managing a business.

There is no disputing the successful record of Nevada State High School; however, the application and Capacity Interview did not demonstrate that the founding Committee of Northern Nevada High School collectively contains the necessary capacity to found and sustain a quality school. A number of issues undermine the Review Team's confidence that the Committee appreciates the critical role of effective governance in sustaining a high quality school: lack of attention to developing strong bylaws specific to Northern Nevada High School; failure to recognize the present conflicts of interest proposed within the application; and the absence of a comprehensive recruitment strategy for new governing board members.

President Conaboy then asked Director Canavero to clarify the last point made in the staff recommendation about the Evidence of Capacity because she felt the CTF was nowhere near the point of being able to successfully run the school. Director Canavero said it truly would be it up to the CTF and their ability to recognize the weaknesses in the CTF and remedy that by bringing the necessary expertise to the committee.

Northern Nevada High School's CTF then testified before the Authority. Each gave a background of how and why they got involved with the Northern Nevada Charter Application. Member Mackedon asked how the relationships with the areas colleges were going to work once the school opened. The CTF said that while the relationships may not be as developed as they would like they would continue working with the areas colleges to ensure the college prep classes they offer are accepted by those colleges. Members of the Authority expressed concern with some of the "holes" in the application.

Member McCord made a motion for approval of the staff recommendation for denial of the Subsection 7 Charter for Northern Nevada High School. Member Van seconded the motion. No discussion took place. The motion carried unanimously.

Agenda Item 20 - Consideration of the Application Review Team's recommendation of Sterling Charter High School North's charter school application

Director Canavero began by giving the SPCSA staff's recommendation for Sterling Charter High School North's charter application:

Sterling High School North proposed to offer a rigorous academic and social skills education program to at-risk students in grades 9-12. The student population would be students who are disadvantaged and at-risk of academic failure due to academic, social, or economic factors. The Common Core standards are the proposed curricula using Pearson's Common Core textbooks. Instructional strategies include individualization, goal setting, and explicit teaching in social skills and leadership. Behavior mentors would be utilized alongside teaching staff to reinforce behavior management skills. The school proposed an alternative school calendar of 250 days.

The Education Plan partially met criteria for approval because the application presented compelling research-based evidence for selecting the proposed curriculum and the mission statement is clear and accompanied by a statement of philosophy; however, some areas require additional information, as the narrative provided does not go into sufficient detail. For example, no information was included on how the school would handle the coming and going of students that is likely to be part of the setting, and little information on how internship opportunities would be found and managed. Additionally, the school needs to specify how it would honor commitments to students under IDEA. The applicant's belief that all students have strengths, and that the proposed school will work with students to develop social and interpersonal as well as academic skills, is commendable. The school appeared to have solid plans for the use of professional learning communities and intends to tie professional development closely to academic initiatives at the school. The intended early adoption of Common Core is also a strength. The management plan documenting how the school will monitor its success in meeting student achievement goals was concrete and a welcome addition to the application. The Capacity Interview clarified that the school would be open enrollment and that the Committee may pursue enrollment preferences allowed under law for schools dedicated to serving at-risk students.

The members of the Committee to Form the School (CTF), and the NRS 386.520 membership requirements each one meets, are: Liaison: Tammy Lancaster, finance; Malaynia Wick, educator; Michael Reynolds, educator; Mike Torres, law, parent; Gwen Niccoli, human resources; Jonathan Blose, human resources. According to the board bylaws, the first board would consist of the members of the CTF. The proposed school would contract with an Educational Management Organization (EMO) to assist with the provision of educational services at the school: Rite of Passage. The school would not provide distance education courses and/or programs. "The administrators, teachers and staff will all be employees of the [EMO]." In the first year, the school would employ two teachers and one "behavioral mentor" to serve 24 pupils.

The Operation Plan as stated in the application did not meet criteria for approval. The Capacity Interview failed to resolve concerns of the Review Team. Further thought and planning as well as involvement of other agencies, some of which are outside of Nevada, is needed before this application may be recommended for approval. It is unclear how Rite of Passage Charter High School, a charter school sponsored by the El Dorado County Office of Education (California), and the proposed Sterling Charter High School North would interact. It was noted that the two schools would share the same facility that is currently provided by Rite of Passage, the proposed EMO. The Capacity Interview made clear that the certificated teachers in the Rite of Passage Charter School are California credentialed and employees of El Dorado County Office of Education.

The relationship(s) between Rite of Passage (the EMO), Rite of Passage Charter High School, El Dorado County Office of Education, and the proposed Sterling Charter High School require deep exploration and the Review Team did not feel confident that the proposed plan sufficiently addresses the many questions raised by the plan. Additionally, the proposed relationship between the EMO – Rite of Passage and Sterling North contains provisions prohibited by NAC 386.405 and 386.407 and requires material revision. Budgeted enrollment for years 1 and 2 is 24 and 30 students, respectively, yielding positive fund balances of \$72 and \$1,670. Included in those ending balances is revenue from federal grants totaling \$30,972 in year 1 and \$38,306 in year 2. Eligibility for much of this requires a full year of data, so none would be available in year 1. It is uncertain if and when it might be available in year 2. Cash flow statements (CFS) made an unrealistic assumption that all revenue and expenditures would occur evenly throughout 12 months. No expenditures are included on the CFS for rent, utilities or textbooks. Insurance stated in cash flow was \$4,000. Insurance quote received was \$14,376. The beginning cash balance in year 2 is, with no explanation, \$72 less than year 1's ending balance. Budget shortfall contingency plans included securing loans from a bank or the EMO, applying for federal grants (which appear to duplicate what is already in the budget) and private grants, fundraising and renegotiating leases and contracts. The person responsible for all finances would be the CFO of the EMO. Outside Revenue was not calculated into the DSA or included in cash flow projections. Because of the many other errors and inconsistencies in the CFS, it is uncertain whether the additional revenue would result in a positive or negative cash balance. The Financial Plan does not meet the criteria for approval because the plan

contained provisions prohibited by state regulation. Significant revisions to the financial plan are required that have the potential to significantly impact the proposed budget.

The Review Team concluded that it was difficult, if not impossible to review the proposed Financial Plan without clarity on how the revenue and cost centers of the school would be affected by the relationship between the proposed Sterling Charter High School South, Rite of Passage Charter High School, and Rite of Passage. It is suggested that this section be modified in future resubmissions (if applicable) once formal relationships are identified between the entities involved. Sterling Charter High School North intends to contract with Rite of Passage (ROP), a Nevada nonprofit corporation and Educational Management Organization. According to the contract included in the application, Sterling Charter High School North intends to engage ROP to provide educational, administrative and financial services and support to the school. Rite of Passage would charge the school 10% of the total revenue received by the school from state and federal sources, excluding National School Lunch Program dollars. Sterling Charter High School North would be responsible to reimburse ROP for all expenses paid by ROP including, but not limited to, personnel costs, curriculum, supplies, supervision and behavior management of students. The proposed contract is for the full term of the initial charter i.e., 6 years, and stipulates automatic renewal upon expiration of the initial term. The contract contained within the application appears free of any of the prohibited provisions as specified in NRS 386.562. However, the contract does violate NAC 386.405 which limits the initial term of the contract to two years and prohibits automatic renewal.

Rite of Passage is a national provider of programs for troubled and at-risk youth who are referred to Rite of Passage from social services, welfare agencies, and juvenile courts. This organization manages a wide-range of services which include community-based services, day schools, academic-model facilities, and gender specific treatment and secure facilities. Most of the youth referred to Rite of Passage are admitted to secure treatment or residential programs managed by Rite of Passage; however, Rite of Passage has created partnerships with various educational entities enabling youth at their treatment/residential facilities to graduate from high school. Rite of Passage currently contracts with four academies in four states and provide a number of services including academic support--Ridge View Academy in Colorado, Canyon State Academy in Arizona, Silver Oak Academy in Maryland, and Rite of Passage Charter High School in California. Although most of the Rite of Passage "schools" are private residential facilities, the Rite of Passage Charter High School in California is considered a charter school which met their 2011 growth targets for all student level and subgroup level, meaning that their growth index exceeded the mandatory 5% improvement. Ridge View Academy in Colorado is considered an alternative school and was recognized as one of the highest achieving alternative schools by the Denver Public School District. Ridge View Academy also reported 77.3% of its 2011 exiting students as enrolled, enlisted, or employed within the first year of leaving the Ridge View Academy program. Crescent Leadership Academy is a charter school contracting with Rite of Passage that received approval by the Louisiana Department of Education in fall 2011. There are no outcome results to report from this new school. Based on information provided in the application and the Authority's due diligence, the operational, educational, and financial success of Rite of Passage is compelling and noteworthy. Additionally, the Authority's due diligence indicates that Rite of Passage has scaled up (added schools) successfully without adversely impacting its existing client schools.

Sterling Charter High School North's Committee to Form is comprised of six members. Tammy Lancaster works for the Nevada Rural Housing Authority as the Chief Financial Officer. Gwen Niccoli is working part-time as a waiter at Edgewood Tahoe Golf Course. Mike Reynolds is a teacher in the Clark County School District and also has a Master's Degree in Aeronautical Science. Jonathan Blose is a Counselor with Rite of Passage. Malaynia Wick is a high school teacher at Dayton Valley High School, and Mike Torres is employed as a Douglas County Juvenile Probation Officer. The Evidence of Capacity did not meet the criteria for approval because the application fails to provide a coherent delineation of the roles and responsibilities between the school's governing board, management and the EMO. The Committee to Form Sterling Charter High School South represents a diverse array of skill sets that would serve the school well if actively engaged.

However, the Committee does not currently comply with the required composition as specified in NRS 386.520. A review of the law and self-assessment of compliance is necessary to identify required changes to the Committee's composition. In the Capacity Interview, the Committee conveyed a deep commitment to serving Sterling's target population; however, the Committee's understanding of its role in the proposed school's governance is built upon a proposed relationship between Rite of Passage and Sterling that does not materially comply with regulation. The Committee is encouraged to continuously evaluate its own capacity to serve the school well as the application is amended to clarify the relationships between the various entities as well as the proposed contractual relationship between the school and EMO – Rite of Passage.

The CTF members then testified before the Authority. All the CTF members had extensive experience work in fields with troubled teens. Vice President Wahl asked for clarification on the 250 days scheduling for pupils at Sterling Charter High School North. The CTF said that it is a 250 day a year school year and pupils will earn credit based on that schedule. The school is unique because it is a residential treatment program and that is the reason for the 250 day school year.

Member Mackedon made a motion for approval of the staff recommendation for denial of the Subsection 7 Charter for Sterling Charter High School North. Member McCord seconded the motion. No discussion took place. The motion carried unanimously.

Agenda Item 21 - Consideration of the Application Review Team's recommendation of The Clark School's charter school application

Director Canvero detailed SPCSA staff's recommendation for The Clark School:

Clark proposes to improve academic achievement using effective and innovative methods of teaching for students in grades K-12. The school proposes to provide differentiated, brain-based instruction to ensure subject mastery. A blended approach using face-to face instruction and online course work from a variety of curriculum program providers such as APEX, Core Knowledge Edison, and K-12 will be utilized. The education program will operate year round including Saturdays and will be proficiency-based.

The application to form The Clark School was incomplete and underdeveloped; numerous Required Elements of the application were not addressed. The result was an inadequate attempt to communicate the Committee's plan for a school. Additionally, the Committee, in developing a unique and non-traditional education model, demonstrated a potential lack of understanding of fundamental public school requirements. For example, the application requires, under section A.8, Special Student Populations, an RtI referral packet and flowchart as well as an explanation of the proposed school's Special Education continuum of services delivery model. The applicant's response to each requirement of this section was "Not Applicable." The Committee is encouraged to continue their research, respond to all required elements in the charter application packet and continue to develop detailed content.

The members of the Committee to Form the School (CTF) are: Kathryn Kelly, James Clark, William Lennartz, Georgette Porter, Dave Kempler, and David Rotman. According to the board bylaws, the first board would consist of the members of the CTF. The proposed school would not contract with an Educational Management Organization (EMO) to assist with the provision of educational services at the school. The school would not provide distance education courses and/or programs. The school would employ three teachers, one administrator, and one administrative assistant in the first year. The application does not identify the school's administrator

The application to form The Clark School was underdeveloped and all required elements were not addressed. The lack of detail resulted in a vague understanding of the school. For these reasons the Review Team was not able to conduct a substantive and material review of the application to form The Clark School.

The Committee is encouraged to continue their research, respond to all required elements in the charter application packet and continue to develop detailed content. The Business Plan does not include a pre-opening

budget. Budgeted enrollment for years 1 and 2 is 280 and 380 students, respectively. The minimal budget summaries presented include \$100,000 and \$50,000 of hoped-for grants and community support in years 1 and 2, respectively. They do not present enough detail to discern expected fund balances at the end of either year. No cash flow statements are presented. No budget shortfall contingency plans are presented. Financial responsibility of the school will be assigned to the Treasurer of the Board of Directors when that person is determined. The Financial Plan was underdeveloped and all required elements were not addressed. The lack of detail resulted in a vague understanding of how the financial plan would support the mission of the school. For these reasons the Review Team was not able to conduct a substantive and material review of the application to form The Clark School.

The Committee is encouraged to continue their research, respond to all required elements in the charter application packet and continue to develop detailed content. The Clark School's CTF is comprised of six members. Stacey Cooper is an administrator for Incline High School. No other resumes were given in the application. The lack of detail in the application and the responses within the application that appeared to run counter to the obligations of all public schools in serving their students, undermine the Review Team's confidence in the capacity of the Committee to found and sustain a quality school.

Kathryn Kelly spoke on behalf of The Clark School's CTF. She said there were some deficiencies in the application but the CTF was working hard to fill in the missing documents. Member McCord asked about the enrollment projections made by The Clark School. Dr. Kelly said the school would be economically viable with 60 students. Member Luna asked if Dr. Kelly and her CTF would be resubmitting the application. Dr. Kelly said that they were planning on resubmitting the application with the necessary changes to make the application whole. Vice President Wahl asked about the financial knowledge of the CTF and how they would ensure the proper funding is used to make the school viable. Dr. Kelly said while she appreciated the questions, Jim Clark and Stacey Cooper have been very helpful in walking through the budgeting process and she was confident the budgeted amounts were viable. Member McCord asked for clarification of how the eLearning Café is in existence right now. Dr. Kelly said it is a 501(c)(3) with agreements with the Washoe County School District. She also said the eLearning Café would be a separate entity from The Clark School, but may provide supplementary instruction to The Clark School's pupils. Member McCord asked if the eLearning Café would serve as a proxy for The Clark School so parents would not have to bear the cost of attending the eLearning Café. Dr. Kelly said that students could take some classes through eLearning Café if certain classes were not offered through The Clark School. Vice President Wahl asked Dr. Kelly about the 250 day school year included in the application. Dr. Kelly said they would not require the students to have to attend 250 days a year. She said the days will be available for the students if they choose to have additional elective coursework. Vice President Wahl asked if the school plans on being a distance education, along with site-based learning. Dr. Kelly said the school was definitely a blended learning school, but she disagreed with the school being classified as a distance education school. Vice President Wahl clarified that if any of the coursework is offered online the school must put together a distance education application with the Nevada Department of Education. Director Canavero added that the review team had similar questions during the capacity interview and this was an issue that still needed clarification by the CTF. President Conaboy asked if The Clark School was modeled after Nevada State High School in Henderson Nevada. Dr. Kelly said they weren't exactly modeled after them, but of all the charter schools, NSHS offered the most for their school to learn from.

President Conaboy asked Dr. Miley to speak on behalf of her work in putting together The Clark School's charter application. Dr. Miley said she was focused on economic development in the Incline Village area along with educational and cultural development too. She believes that The Clark School would offer an educational choice that was currently not available to residents of the Incline Village area.

President Conaboy asked Dr. Kelly if she would like to respond to some of the opposition that was brought up during the Public Comment portion of the meeting. Dr. Kelly said she had not heard the days' public comment, but she had a pretty good idea what was said. She said she created a pamphlet that was passed around the

Incline Village area asking for comments with regard to The Clark School. She said she feels she tried to make the community aware and called on them for their opinion on the development of the application.

Member McCord made a motion for approval of the staff recommendation for denial of the Subsection 7 Charter for The Clark School. Member Van seconded the motion. No discussion took place. The motion carried unanimously.

Agenda Item 22 - Discussion and possible action identifying future agenda items

Member McCord asked that the Authority consider the performance levels of the Authority-sponsored schools. He thought that the Authority needs to bring forward some performance measures and with those some action may need to be taken. Director Canavero said there is a lot of data that is available and SPCSA staff could compile that information for the Authority and would present it at a later meeting. President Conaboy also added that staff should develop a chart that shows where the state-sponsored charter schools were on their renewal schedules. Vice President Wahl asked for a synopsis of each of the school's independent financial audits that are done each year. Member McCord suggested that the Authority ask each of the schools to share their management letters that come out of each of the audits.

Deputy Attorney Chesney added that further training for the Authority members is always something that he would recommend. President Conaboy also asked what the status was with contested hearings. Deputy Attorney General Chesney said that he and Director Canavero had been working on it and he recommended putting it on an agenda at a later meeting.

Agenda Item 23 – Member Comment

Vice President Wahl said how much she enjoys being on the Authority and all the work that entails. President Conaboy congratulated SPCSA staff for the work that went into the 2012 Charter Application Review. She said she felt that staff had met, and exceeded, the statutory requirements and they should be commended for their effort.

Agenda Item 24 – Public Comment

Dr. John Hawk, Charter School Association of Nevada President, informed the Authority of a CSAN mixer that was going to be hosted both in Las Vegas and in Reno in the coming weeks. He also commended the work done by both staff and the Authority with regard to the 2012 Charter Application review. Dr. Hawk also added that Nevada State High School felt that charter schools need to be held accountable to results.

Director Canavero read into record the public comment that was submitted in opposition to The Clark School in Incline Village. All of the letters can be found attached to these minutes.

Dr. Kelly responded to public comment read into the record by Director Canavero and asked if all the comments received by staff were negative towards the idea of The Clark School. Director Canavero said that the theme in the letters was surprise, grave concern, and other opposition contained in the letters received.

Agenda Item 25 – Future Meeting Dates

The next SPCSA board meeting date was not decided, but a date sometime in January was initially agreed upon.

Member McCord made a motion for adjournment. Member Van seconded the motion. No discussion took place. The motion carried unanimously.

The meeting was adjourned at 2:22 p.m.

NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY

August 24, 2012

Nevada Legislature
Room 2135
401 South Carson Street
Carson City, Nevada

And

Grant Sawyer Building
Room 4412
555 East Washington Avenue
Las Vegas, Nevada

MINUTES OF THE REGULAR MEETING

(Videoconferenced)

BOARD MEMBERS PRESENT:

In Las Vegas:

Kathleen Conaboy
Michael Van
Robert McCord
Nora Luna
Elissa Wahl
Marc Abelman

In Carson City

Melissa Mackedon

AUTHORITY STAFF PRESENT:

In Las Vegas:

Dr. Steve Canavero PhD

In Carson City:

Katherine Rohrer, Education Program Professional, State Public Charter School Authority
Angela Blair, Education Program Professional, State Public Charter School Authority
Allyson Kellogg, Management Analyst, State Public Charter School Authority
Danny Peltier, Administrative Assistant, State Public Charter School Authority

LEGAL STAFF PRESENT:

In Las Vegas:

None

In Carson City:

Shane Chesney, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE:**In Las Vegas:**

Richard Moreno
Ryan Reeves
Ruth Parker
Heidi Arbuckle
David Calvo
Jennifer Burbank
Valerie Blake

In Carson City:

Judy Osgood
Brian Flanner
Jennifer Dukek

CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE; APPROVAL OF AGENDA

President Conaboy called the meeting to order at 9:04a.m. with attendance as reflected above.

Agenda Item - Public Comment

None

Agenda Item 2 – Approval of June 29, 2012 Meeting Minutes

Member Luna made a motion for approval of the July 31, 2012 SPCSA meeting minutes. Vice President Wahl seconded the motion. There was no discussion. President Conaboy abstained due to her absence at the July 31, 2012 meeting. The motion carried unanimously.

Agenda Item 5 – Common Challenges and Promising Practices of Independent Statewide Chartering Boards – presentation of work funded through a grant from the National Governors Association

Director Canavero began by thanking Ms. Judy Osgood, Senior Policy Analyst in the Office of Governor Sandoval, for her work in assisting the State Public Charter School Authority in collaborating with Paul O’Neil. Ms. Osgood began by introducing a project she had been working on with Director Canavero. The project, Common Challenges and Promising Practices of Independent Statewide Chartering Boards, is a joint project between the National Governors’ Association Center for Best Practices and the Center for School Change at McAllister College at the University of Minnesota. The project provided technical assistance to Nevada to help the SPCSA improve as an independent chartering board.

Ms. Osgood introduced Paul O’Neill, consultant to the NGA and advisor to many organizations on the complexities of educational organizations. Mr. O’Neill outlined the different types of charter school authorizers throughout the country, including independent state charter boards. He said that Independent Charter Boards (ICB), which exist in 12 states, are different from other authorizing entities because they have a singular purpose, namely to approve and oversee charter schools and hold them accountable for quality. This singular focus may have considerable benefits but also brings with it unique challenges. The experiences of ICBs across the country are varied, and depend to a large extent on local factors and the specifics of the powers and structure of each. But many of the challenges they face are similar. Autonomy is the question of how autonomous ICB’s are or should be. This is initially a policy issue that requires a state to determine if it wants to create a chartering board that is fully independent of the state board of education? Additionally, the state must decide if it should it be quasi-independent and serve as an office of the state board or be overseen by the board? Another consideration is whether applicants to the ICB should first be required to apply to their local district. The right to apply to the ICB could be contingent on the local district refusing to approve the initial

application. Unless the laws and regulations addressing these issues are explicit and clear, a more practical problem may arise in the form of challenges to the actions of the ICB. For example, does it have the authority to make the decisions such as: approvals, revocations, and non-renewals? Local Control is an important aspect of autonomy. Districts may resent approval of charters without their consent or even knowledge. The ability of an ICB to unilaterally approve a charter school application both undercuts district autonomy and impacts district budgets. Push back against ICBs in states like Colorado, Florida, and Georgia has been largely based on concerns over local control and a belief that state constitutions in many states provide districts with an exclusive right to create and oversee schools within their borders. Funding is another contentious area, both in terms of the source of funds for ICBs and the amount of funds needed to support their work. In New Jersey and other states, considerable resistance to the idea of creating an ICB has been rooted in a reluctance to fund the chartering board out of public funds that would otherwise remain with districts. Most commonly, ICBs are funded from a small percentage of the funds attributable to the charter schools they oversee, but this can be unpopular with those charter schools and with the districts where they are located. Without adequate funding, it is not possible for ICBs, or any authorizer, to do high quality work. In fact, one common reason why some district authorizers struggle in their responsibilities is a lack of resources devoted by the district to chartering. Ideally, one of the strengths of an ICB should be that as an organization entirely focused on charter school authorizing, it has the funding and other resources needed to do the job well. In practice, this may or may not be the case. In order for ICBs to be attentive and effective in their work, they require sufficient staff to attend to the application reviews, oversight visits, investigations of various sorts, renewal decision-making, and other functions that characterize this work. Staffing is partly a function of the level of funding available but may relate to the perspective an ICB or other authorizer brings to the work. A more hands-off approach to oversight, for example, will likely require fewer staff to do that work. As with funding, adequate staffing should be a strength of ICBs, as compared to other types of authorizers that may have to stretch personnel between various priorities, including authorizing. ICBs and other authorizers committed to fostering high quality charter schools may encounter a tension between respecting the autonomy of the schools they oversee and taking it upon themselves to improve those schools. Especially where staffing is plentiful, they may be tempted to involve themselves in programmatic decisions that are more appropriately the province of the school leaders, or to offer support services designed to improve schools. The ICB's primary role as a gatekeeper, holding schools accountable for their performance, can be compromised by such proactive steps. The discussion of ICB litigation, above, attests to the reality that chartering boards are vulnerable to law suits. The degree of vulnerability of any particular ICB will depend to a great extent on the language of its state constitution. States with an explicit local control clause are most at risk, but the suit in Colorado demonstrated that even such clauses can be successfully defended. Whatever a state's constitutional language, care should be taken to draft legislation, regulations and ICB rules that carefully articulate the roles and responsibilities of the ICB in a way that is as respectful as possible of state legal precedents.

After Mr. O'Neill gave background, benefits, and concerns of ICBs, he presented several recommendations to the Authority. These recommendations are listed below:

Given the benefits and challenges described in this memorandum, the following considerations may be worth considering in trying to ensure strong statewide ICBs:

- The singular purpose of ICBs should allow for maximum attentiveness to charter authorizing and for a high level of expertise in that work.
- ICBs have the potential to be more independent and less politically sensitive than district and state education authorities.
- Competence and effectiveness should not be assumed – ICBs that are underfunded, understaffed, and insufficiently attentive to their responsibilities are likely to struggle to be successful.

- ICBs can be shut down for poor performance. While other types of authorizers could lose the ability to approve and oversee charter schools, all of those types – LEAs, SEAs, universities, non-profit groups, etc. – have a larger role beyond authorizing that would continue.
- The presence of a strong ICB as an alternative to other authorizing options can provide an important element of choice for charter applicants and, where other authorizers are weak, can raise the quality level of authorizing within the state.
- Despite the unique aspects of ICBs, their work is in many respects no different from that of other authorizers, and it is essential that they understand and follow best practices for strong authorizing generally. To that end, NACSA's *Principles and Standards for Quality Authorizing* is an essential guiding resource. NACSA's newly developed *Performance Frameworks* that collectively provide a rubric for assessing quality in the academic, financial and organizational management elements of a school's program can be very useful tools for ICBs developing their own approach to school accountability.
- One area in which ICBs and other authorizers commonly struggle is special education. The complex and comprehensive compliance and program requirements imposed on schools, LEAs and SEAs by the Individuals with Disabilities Education Act and other applicable laws can be daunting and many authorizers lack the expertise to fully understand how those requirements play out in their work. A new resource has been created by the National Charter Schools Institute called *Charter School Authorizer Rubrics for Special Education*. These rubrics identify all of the important steps an authorizer should take at each phase of the authorizing process – application review, oversight and renewal/closure decisions. These will be made available soon and ICBs should consider using them as a tool.

During the discussion between Mr. O'Neill and the Authority, Deputy Attorney Chesney asked if Mr. O'Neill looked at the Nevada Revised Statute (NRS) with regard to the local educational control issue in Nevada. Mr. O'Neill said he had and opined that NRS does not appear to conflict with the recommendations and future work of the SPCSA. He said that it is the kind of provision that if it was in the Constitution then there could be challenges, but since it is not then it should not become an issue.

Member Mackedon asked if there could be an additional interview from applicants to gauge their capacity to operate a school. Director Canavero said that as of now, the SPCSA has taken the issue into account and will be vigilant of that during the interview process that is already in place. Director Canavero finished up by saying that after the meeting Mr. O'Neill would be sending him a report about the Local Education Agency status of the SPCSA.

Agenda Item 4 – Director's Report

Director Canavero began his report by detailing staffing at the SPCSA. He said that he is still working to fill the open positions that have been discussed at prior meetings. Hiring of the Administrative Services Officer was completed and all that was left was salary negotiations. He also talked about the upcoming National Association of Charter School Authorizer Leadership Conference that will be taking place in Memphis October 22 through October 25. He said that President Conaboy and Member McCord would also be attending the conference with him.

Director Canavero then moved on to student health in charter schools. He said that Tom McCormack met with Assemblywoman Smith to discuss maintaining a safe and healthy environment for students in charter schools. The main question during the meeting was the self-administration versus school-administration of EpiPens.

Director Canavero acknowledged the Charter School Association of Nevada (CSAN) for holding a records retention meeting at Nevada State High School. Wendi Hawk organized the meeting and Director Canavero also took part. He said that the main concern of the meeting was to ensure a smooth transition of student records when students change schools.

Director Canavero finished with an update on the Legislative Committee on Education and the bills they chose to move forward on behalf of the SPCSA. He said they chose to move the facilities bill, lottery enrollment, and performance framework bills to the 2013 Legislative session.

Discussion turned to the weighted model funding when Member Wahl asked about the percentage charter schools pay as a fee to the SPCSA. She said that Mr. O'Neill's presentation said that many states receive 3% from their charter schools and whether the SPCSA was going to move to 3% with its charter schools. Director Canavero said that the SPCSA has the authority in NRS to charge charter schools up to 2%. He said that currently the SPCSA is charging 1.5% and the upcoming three fiscal year budgets were built with the 1.5% fee built in.

President Conaboy wanted to clarify that the scope of the weighted funding study was to review the possibility of weighting categories of students -- such as English Language Learners and students eligible for Free and Reduced Lunch -- to receive funding beyond the DSA. The interim study did not deal with infrastructure funding or the funds collected by the SPCSA via a percentage fee charged to authorize schools. .

Agenda Item 6 – Approval of Conversion of the Subsection 7 Charter to Subsection 5 Charter of the Pinecrest Academy

Director Canavero began by detailing the conversion process that Pinecrest had undertaken. He said the school had satisfied the conditions for conversion and the SPCSA staff recommended to the Authority full conversion to a Subsection 5 Charter from a Subsection 7 Charter. The conditions satisfied by Pinecrest Academy are listed below:

1. *"The School has not yet obtained a facility."* All health and safety requirements are satisfied –
2. *"The School has not yet established a governing body."* -The Governing Body was formally established and officers elected
3. *"The School has not yet demonstrated enrollment that can result in a financially viable charter school."* Allyson reviewed our list of students and confirmed 752 (121 in K) students signed-up to attend Pinecrest Academy.
4. *"The School's special education plan requires amendment."* The proposed amendment language was reviewed and approved by Angela Blair. The Board of Pinecrest formally adopted the amended language on August 9th.

Member Mackedon asked where Pinecrest would be located in Clark County. Director Canavero asked that Ryan Reeves, Pinecrest Academy, give some background to the location of Pinecrest Academy. Mr. Reeves said the school would be located in Henderson, Nevada. Mr. Reeves also said that east Henderson has not had a facility-based charter school available to the community, and because of that Pinecrest Academy's enrollment was very strong.

Member Abelman made a motion for approval of conversion of the Subsection 7 Charter to Subsection 5 Charter of the Pinecrest Academy. Vice President Wahl seconded the motion. No discussion took place. The motion carried unanimously.

Agenda Item 7 – Overview of the Elementary and Secondary Education Act (ESEA) Flexibility Waiver as submitted by the Nevada Department of Education and conditionally approved by USED

Dr. Katherine Rohrer began by giving a brief background of the approval process that the Nevada Department of Education and the United States Department of Education went through in order for Nevada to be approved for the Elementary and Secondary Education Act waiver. Dr. Rohrer said NACSA has been working closely with different states and USED to help clarify what the ESEA waiver would mean to charter schools. She also said that Director Canavero has been very diligent in working with the Nevada Department of Education to make sure the assurances in the ESEA waiver extended to charter schools without interfering with Nevada's charter school autonomy as defined by NRS. The framework will be implemented in a way to protect charter school authorizers in their ability to close charter schools due to lack of performance, as provided for in their charter agreements.

Director Canavero also said there is a concern among charter schools that the ESEA waiver will require LEAs and school districts to limit charter schools' autonomy. One of the limits may be the requirement of charter schools to implement a teacher evaluation system that was spelled out in the Nevada Department of Education's ESEA waiver application. The other loss of autonomy could be how a charter school can respond to its own underperformance. Schools through the ESEA waiver can be identified as reward, priority, or focus and that would mean schools that were classified as "priority" or "focus" would be required to put into place some measures to correct the lack of performance. Director Canavero said the concern of this requirement is it might impose upon a school and its autonomy along with imposing on the authorizer's ability to hold the school accountable. Director Canavero then gave some examples of how these scenarios might come to fruition. He said that when these questions came up, NACSA worked with USED to help sort out how the waiver wouldn't decrease the autonomy of the school or decrease an authorizer's ability to act upon low performing schools. Discussion then continued between Director Canavero, Dr. Rohrer, and the Authority about how autonomy loss would be avoided at the SPCSA-sponsored schools.

Agenda Item 8 – Overview and discussion of the leaver and cohort graduation rate formulas and Authority-sponsored charter school's graduation rates

Dr. Rohrer then moved onto an explanation of the leaver and cohort graduation rate formulas and the Authority-sponsored charter school's graduation rates. Dr. Rohrer worked with all the schools in order to reflect the most accurate graduation data available. She said that some of the data from some of the schools was missing and that affected their cohort rate. Dr. Rohrer said the average graduation rate for Authority-sponsored charter schools was 27.84%. Data was based on the 2010 – 2011 school year. Dr. Rohrer then detailed how the formulas for graduation work for the Authority. Director Canavero also added that the data set used for the cohort graduation rate originates with the school. When a pupil enrolls they are entered into a student information system and that system tracks the progress of the pupil through their route to graduation.

Dr. Rohrer continued her presentation by comparing the differences with the leaver rate and the cohort rate and why the two rates had different graduation percentages. Dr. Rohrer said the four-year adjusted cohort graduation rate was defined as: a graduate considered a student who graduates in four years or less with a standard, advanced, or adult diploma. A student who leaves school after four years with a certificate of attendance, adjusted diploma, or high school equivalency diploma is not considered a graduate. Dr. Rohrer then explained the leaver rate as: the percentage of students leaving high school with a standard, advanced, or adult diploma compared to the total number of students leaving with a certificate of attendance or other completion credential, or who have dropped out. She then added that the biggest change between the leaver rate and the cohort rate was how the graduate was defined in the student information systems. The cohort graduation rate considers a graduate to be a student who completed high school in four years or less.

Member McCord expressed some concern with the four year cohort graduation rate and how it measures ninth graders. He said that in his thirty years in dealing with 9th graders they will sometimes perform under

expectations and this is not reflected in the four year rate. He was also concerned that schools may try to push kids out of there school if they know that pupil will not be able to pass and graduate.

Member Wahl asked if there had been any backlash in the public after the graduation rates were released to the public. Dr. Rohrer and Director Canavero then detailed the charter school's graduation rate and the reaction by the public to the data released. Dr. Rohrer said that she had received an inquiry from a local newspaper in regard to one of the charter schools but no story in the paper was ever found. She said most calls went to the Nevada Department of Education, but she did receive one direct inquiry from the press regarding one specific school.

Chair Conaboy asked if there was a way to provide a message to report a deeper meaning of this data. Dr. Rohrer responded by saying yes, retention is also a good indicator of the success or failure of our charter schools. She said that schools' realized that their graduation rate numbers are low, but this year schools will be graduating their first full four year cohort and their rates would begin to reflect the proper data. Dr. Rohrer said that she agreed with that assessment and is hopeful that we will see the graduation rates increased over time.

Member Mackedon said that right, wrong, or indifferent this is the data that has been reported and the SPCSA-sponsored schools need to be on par with the rest of Nevada's public schools.

Agenda Item 9 – Discussion of the draft performance frameworks for SPCSA-sponsored charter schools. The discussion will center on the Financial framework as well as update the Authority on the Academic and Organizational frameworks.

Director Canavero said that the development of the Financial framework has progressed well. Staff, with the help of a small group of charter school administrators, was able to put together the framework to measure the long-term financial stability for each charter school. Member McCord asked how the financial information was collected. Director Canavero said that it was collected by an independent third party audit that each charter school is required to complete annually. Member McCord also asked about the variance of each individual audit. Member McCord said there is not a real specific standard that has been established by audit firms with regard to 501(c)(3) type organizations, and this is concerning for SPCSA staff with regard the variance in audit results that may come about.

Director Canavero called for more discussion regarding the due diligence of SPCSA staff for the independent audits. He said he also recognized that the Authority will have some liability in trusting the results from the various independent audits. Discussion continued between the Authority and Director Canavero.

Director Canavero finished the discussion by saying the most important thing for the schools was clarity in the frameworks. To have clear benchmarks established that schools and the SPCSA can agree on, and when some of those marks are met then certain procedures begin.

Agenda Item 10 – Overview of the SPCSA's FY14/15 budget. The discussion will include the performance measures as required by the Priorities and Performance Based Budgeting.

Director Canavero explained to the Authority the process that SPCSA staff has been taking part in with the Governor's office in setting up the Fiscal Year 14 and 15 budgets for the SPCSA. Each agency is required to create a budget using the Priorities and Performance Based Budgeting measures that were established by the Governor's office. The FY14/15 budget for the SPCSA is broken down into two principle activities: Quality Charter School Authorizing and Technical Assistance and Support. Within each of those activities there were performance measures set to help gauge whether the SPCSA has met its two established activities.

Agenda Item 11 – Update on the successful administration and implementation of federal entitlement programs.

Angela Blair updated the Authority on Title I, Title IIa, and Title III money the SPCSA has received on behalf of the schools. Ms. Blair said that seven schools had been selected to develop and distribute Title I funds. These schools were chosen based on the population of Free and Reduced Lunch pupils at their schools. She said that each of the Title I eligible schools were required to set three goals in distributing the Title I money and each school would be required to develop and turn in a School Improvement Plan.

Ms. Blair then moved onto discussion regarding Title IIa money. She said that Title IIa funds target schools with the lowest proportion of highly qualified teachers, the largest class sizes, or are identified for school improvement under Section 1116(b) of the Title I-A [Section 2122 (b)(3)]. She then gave a few examples how she, and the SPCSA staff, has been gathering data to consider whether to target funds to help meet with the Title I responsibilities. Member Mackedon asked if only Title I schools would be eligible for Title IIa money. Ms. Blair said no, all schools are eligible, but Title I schools would be first.

Ms. Blair then spoke about the Title III funds that target English Language Learners (ELL). She said that SPCSA-sponsored schools had only identified 66 total students who require ELL services. She said that Nevada required a minimum of 87 to 90 ELL students to qualify for the minimum of \$10,000. She said data collection was probably one of the main reasons the SPCSA-sponsored schools reported such a low ELL student population. As the data collection becomes more accurate she believes our schools will qualify for more Title III funds.

Ms. Blair closed by saying the SPCSA had qualified for \$5,200 for the Migrant student population numbers. She said these funds would target professional development for teachers in sheltered instruction.

Agenda Item 12 – Report on the Letters of Intent received by the Authority as of August 24, 2012 and discussion related to the application review process and timeline.

Director Canavero reported that staff had received 12 Letters of Intent, which meant staff was expecting 12 charter school applications:

1. **Sterling Charter High School**
 - a. Lyon
 - b. At-risk
2. **Promise Academy**
 - a. Clark
 - b. At-risk
 - c. ELL
3. **American Preparatory Academy**
 - a. Clark
 - b. At-risk
4. **Legacy International**
 - a. Clark
 - b. Distance Education
5. **Doral Academy**
 - a. Clark
6. **Nevada Performance Academy**
 - a. Carson City
7. **Imagine Centennial**
 - a. Clark
8. **Silver State Virtual Academy**
 - a. Clark

- b. Distance Education
- 9. Ben Gamla
 - a. Clark
- 10. Northern Nevada High School
 - a. Washoe
- 11. Leadership Academy of Nevada
 - a. Clark
 - b. Distance Education
- 12. Las Vegas Preparatory Academy
 - a. Clark

Member McCord asked if there were any charter school replications. Director Canavero said, while there is not an exact definition of replication, yes there were some schools which could be considered replications. Questions from SPCSA members were asked with regard to specific letters of intent that had been received. Discussion about how to schedule the charter school applicants at the next SPCSA meeting was had.

Agenda Item 13 – Discussion and possible action related to the consideration of an independent third party evaluation of the operation of charter schools in Nevada. Discussion may include the purpose of the study and interaction with strategic plan.

Member McCord wanted the Authority to consider looking into conducting a third party study of Nevada charter schools. He said the school districts were very much in favor of having such a study. Member McCord said he understands the cost involved with undertaking such a large study, but he would like to see some third party data that could be used to set a baseline for charter schools in Nevada. Member Abelman voiced his support for the idea.

Director Canavero said he understood the appetite of the Authority for this type of data, but wondered if SPCSA staff might have the capacity to gather some of the information, depending on what type of information the Authority was looking for. Then from the data gathered by staff, the Authority could then decide if they would want the additional third party study.

Members of the Authority offered reasons in support of the idea and also not in support of the idea. Member Mackedon asked who would be doing the study. Member McCord said that he didn't have anyone particular in mind. He wanted the Authority to remember that charter schools in Nevada are growing extremely fast and he thinks now would be the best time to establish the baseline data.

The Authority decided not to take action on the item. They said it would be better to keep the item on future agendas to explore the details further. Member McCord thanked the Authority for considering the item and Member Van wanted to ensure this would stay on the agenda at future meetings.

Agenda Item 14 – Discussion and possible action on the development of a subcommittee of the Authority empowered to speak on behalf of members at the legislature.

President Conaboy began discussion by explaining why a formation of this legislative subcommittee was necessary. She felt it would be beneficial to the Authority to specify which members would reach out to the Legislature on behalf of the whole body. As she was explaining, Deputy Attorney General Chesney said that a subcommittee would probably not be the best idea for this situation. He said a subcommittee would be required to meet under Open Meeting Laws and he didn't think that was the intention of the chair. President Conaboy agreed and Deputy Attorney General Chesney recommended calling the members Legislative Liaisons who would have the power to speak on behalf of the Authority to Legislators.

Member Van made a motion for the appointment of Member Luna, Member McCord, and President Conaboy as Legislative Liaisons. Member Abelman seconded the motion. No discussion was had. The motion carried unanimously.

Agenda Item 3 – Authority Update

President Conaboy started by explaining some of the issues that came up at the Legislative Committee on Education's meeting. One issue that was discussed was when Member Wahl asked where the initiation of the pay-for-performance legislation originated. President Conaboy said she was unsure, but looking into it.

President Conaboy said that Director Canavero's performance contracting presentation was well-received by the LCE and received unanimous support. President Conaboy said that Assemblyman Stewart and Assemblyman Munford were very supportive of this during the LCE meeting. President Conaboy said that there was no motion on the evaluation process.

Director Canavero was then asked to update the board on the weighted funding model that had been discussed at the LCE meeting. The new models all will significantly increase Distributive School Account funding to the SPCSA-sponsored charter schools with regard to special education. The lowest increase in special education funding would be 453 percent. Member McCord added that the adequacy of weighted funding was the basis of litigation.

Agenda Item 15 – Future Agenda Items

President Conaboy asked the members if they had any agenda items they would like to see on future agendas. Member Van said he would like to see the Independent Auditing issues on a future agenda. Member McCord asked that charter school replication grants be on future agendas. Member Mackendon asked that the Student Achievement data that was yet to be released be included on the agenda when the information is made public.

Agenda Item 16 – Member Comment

Member Luna passed out invitations to the Nevada Hispanic Legislative Caucus. Member Wahl asked if the SPCSA budget included bill tracking funding. President Conaboy said there is a free service located at the Legislative Counsel Bureau's website.

Agenda Item 17 – Public Comment

None

Agenda Item 18 – Next Meeting Date

The Authority decided to have a two day meeting for the charter school application review. The next meeting will be October 18 and October 19, 2012.

Member Van made a motion for adjournment. Member McCord seconded the motion. No discussion was had. The motion carried unanimously.

The meeting was adjourned at 2:35 p.m.

STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

S U B J E C T: Authority Update

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / / </u>	Action

MEETING DATE: January 8, 2013

AGENDA ITEM: 3

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Kathleen Conaboy, Chair, State Public Charter School Authority

RECOMMENDATION:

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 15 mins

BACKGROUND: Chair Conaboy will give the Authority an update of recent events.

SUBMITTED BY: _____

STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

S U B J E C T: Director's Report

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / / </u>	Action

MEETING DATE: January 8, 2013

AGENDA ITEM: 4

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Dr. Steve Canavero, Director, State Public Charter School Authority

RECOMMENDATION:

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 10 mins

BACKGROUND:

SUBMITTED BY: _____

STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

**S U B J E C T: Approval of SPCSA Title I
Parental Involvement Policy as required by
section 1118 of the Elementary and Secondary
Education Act (ESEA)**

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: January 8, 2013

AGENDA ITEM: 5

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Angela Blair, Education Program Professional, SPCSA

RECOMMENDATION:

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 10 mins

BACKGROUND: Approval of SPCSA Title I Parental Involvement Policy as required by section 1118 of the Elementary and Secondary Education Act

SUBMITTED BY: _____

STATE PUBLIC CHARTER SCHOOL AUTHORITY

SPCSA WIDE PARENTAL INVOLVEMENT

This policy has been developed by the State Public Charter School Authority to meet the provisions of Title I, Part A program consistent with section 1118 of the Elementary and Secondary Education Act (ESEA).

- The SPCSA and its Schools will incorporate this parental involvement policy into District and School Improvement Plans
- The SPCSA and its Schools will provide full opportunities for the participation of parents with limited English Proficiency, parents with disabilities and parents of migratory children, including providing information on student progress at least four times each year in an understandable and uniform format, including alternative formats upon request and to the extent practicable in language parents understand.
- The SPCSA will be governed by the following statutory definition of parental involvement and expects that its Title I Schools will carry out programs, activities and procedures in accordance with this definition:
 - Parental involvement means the participation of parents in regular, two-way and meaningful communication involving student academic learning and other school activities including ensuring:
 - (A) that parents play an integral role in assisting their child's learning;
 - (B) that parents are encouraged to be actively involved in their child's education at school;
 - (C) That parents are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child;
 - (D) The carrying out of other activities, such as those described in section 1118 of the ESEA.

Adopted:

STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

**S U B J E C T: Overview upcoming school
renewals and the renewal process**

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / / </u>	Action

MEETING DATE: January 8, 2013

AGENDA ITEM: 6

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Steve Canavero, PhD, Director, SPCSA

RECOMMENDATION:

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 15 mins

BACKGROUND: Director Canavero will overview the upcoming school renewals and the renewal process.

SUBMITTED BY: _____

State Sponsored Charter School's Charter Start and End Dates

Updated 11/26/2012

1. **Alpine Academy (Reno) – 2009 - 2015**
2. **Beacon Academy of Nevada (LV) – 2008 - 2014**
3. **Coral Academy of Science-Las Vegas (LV) – 2007 - 2013**
4. **Discovery Charter School (LV) – 2011 - 2017**
5. **Elko Institute for Academic Achievement (Elko) – 2009 – 2015**
6. **Honors Academy of Literature (Reno) – 2012 - 2018**
7. **Imagine School at Mountain View (LV) – 2011 - 2017**
8. **Nevada Connections Academy (Reno) – 2007 - 2013**
9. **Nevada State High School (LV) – 2007 - 2013**
10. **Nevada Virtual Academy (LV) – 2007 - 2013**
11. **Oasis Academy (Fallon) – 2011 – 2017**
12. **Pinecrest Academy (LV) – 2012 - 2018**
13. **Quest Academy Preparatory Education (LV) – 2008 - 2014**
14. **Silver Sands Montessori Charter School (LV) - 2009 - 2015**
15. **Silver State Charter Schools (Carson City) – Renewed 2010 - 2016**
16. **Somerset Academy of Las Vegas (LV) – 2011 - 2017**

**Application for Renewal of a Charter
For a State Public Charter School Authority-
Sponsored Charter School**

State Public Charter School Authority
October 2012

Application for Renewal Of a Public School Charter

Certification Statement

Charter School Name: _____

I hereby certify that the information submitted in this application for renewal of a public school charter is true to the best of my knowledge and belief; and further I understand that, if awarded a renewed charter, the school shall continue to be open to all students on a space available basis, and shall not discriminate on the basis of race, gender, religion, ethnicity, disability, athletic performance, special need, or proficiency in the English language, and academic achievement. This is a true statement, made under the penalties of perjury.

This request for renewal of the charter was approved in a public, open meeting of the

school's governing body held on (date)_____. A copy of the meeting agenda and minutes is attached.

Governing Body President signature: _____

Print Name: _____

Date: _____

Introductory Instructions

The Application for Renewal shall consist of narrative responses to all requirements in the Application for Renewal as well as any and all documentation and data submitted to support the responses. The charter school should strive to complete each response as thoroughly and comprehensively as possible (including submitting documentation, data or other objectively verifiable information to support each response) so as to minimize further explanation or clarification to the Sponsor. Responses that identify strengths as well as weaknesses, and explanations why such weaknesses are outweighed by the strengths, are strongly encouraged. Responses that lack supporting evidence or require the Sponsor to guess at the meaning of a particular statement or make assumptions concerning supporting evidence are strongly discouraged.

During the process of evaluating whether to approve the Application for Renewal, the sponsor reserves the right to conduct site visits and interviews of parents, students, members of the governing body, administration, and staff of the charter school. The sponsor may also consider the school's most recent NRS 386.610(1) progress report and NAC 386.410 compliance report.

The Application for Renewal of a Public School Charter Certification Statement must be signed and attached to the Application for Renewal.

It is recommended that the charter school's Governing Body President and Administrator be in attendance at the meeting of the State Public Charter School Authority in which the Application for Renewal is considered.

Please indicate the type of Application for Renewal the charter school is submitting (check one):

_____ **NRS 386.530(1).** This application for renewal of a charter under NRS 386.530 (1) may be submitted to the sponsor of a charter school not less than 90 days before the expiration of the charter. The charter expiration date can be found in the "Written Agreement" (under "term") between the charter school and its sponsor. Charter schools wishing to renew their charters are solely responsible for submitting an Application for Renewal before the deadline stated above. The State Public Charter School Authority shall not be responsible for notifying charter schools of this deadline.

Please respond to the questions on pages 4-6 of this application.

_____ **NRS 386.530(2).** An application for renewal of an initial charter under NRS 386.530(2) may be submitted after three (3) years of operation of the charter school.

Please respond to the questions on pages 7-9 of this application. Include in your answer to #3, for NAC 386.310(3), the NRS 386.610(2) and NAC 386.350(6) three year progress report.

The application, excluding attachments, should not exceed 20 pages, 12 point font, single or double spaced. Submit 10 copies of the renewal application and supporting documents.

Application

Please provide the following for a renewal pursuant to NRS 386.530(1):

1. Any changes in any of the items listed in the initial application to form the charter school. NAC 386.300(1)

Explain how the initial application (application as approved by the sponsor and written agreement) has served the school during the term of its charter. Explain what have been the strengths and weaknesses.

Provide in detail any changes that have been made to the application/charter. Offer the reasons behind the changes and what the results have been. Provide documentation of sponsor approval of all changes and amendments to the original application. Changes and amendments that have not been approved by the sponsor will not be recognized and must be reversed.

2. A profile of the achievement of the pupils enrolled in the charter school during the preceding six years, as reflected in proficiency examinations and other means of assessment and evaluation. NAC 386.300(2)

Provide evidence that the charter school's students have made academic progress over time while enrolled in the school. As much student academic data as is available should be used to support progress.

Adequate Yearly Progress (AYP) of the charter school must also be addressed, and a current copy of the School Improvement Plan must be provided.

3. A report on the progress of the charter school toward meeting its mission, goals, and objectives. NAC 386.300(3)

To ensure that the school reports on the mission, goals, and objectives that were approved by the sponsor, the school must request from the sponsor a copy of the mission, etc., that is included in the school's charter. Provide quantitative evidence that the school has made satisfactory progress toward achievement of the mission, etc. Any claims about student performance should be supported by evidence from state-mandated assessments. If staff evaluations of student performance are included, they need to be supported by objective assessment data and documented criteria.

If the charter school has not fully reached the standard called for by a particular academic performance objective or goal, an explanation must be included about why the school considers the progress that it has made to be reasonable.

Provide a statement about the history of the school's enrollment during the term of its charter. Provide Count Day numbers and March 1st enrollment for each of the most recent three school years. Address fluctuations in enrollment.

4. A report on the effectiveness of the collaboration between licensed and nonlicensed staff members in the instructional program of the charter school. NAC 386.300(4)

Provide evidence that the school's administration, professional staff, and nonlicensed staff have performed capably and have made significant progress relative to the school's goals and objectives. This section should include discussion of teacher and staff evaluation, staff turnover, leadership changes, etc.

Provide evidence that teachers and paraprofessionals (in Title I schools) are highly qualified as required by State Law.

Evidence should be provided that the Governing Body has been responsible and effective in providing appropriate collaboration oversight, and that it has handled organizational challenges competently. Describe how the Governing Body has functioned over the term of the charter, include evidence of stability and discussion of turnover.

5. If applicable, a report on the number of pupils who have graduated from grade 12 at the charter school and the plans of those pupils for careers or continuing education. NAC 386.300(5)

Provide graduation reports, as well as dropout rates, at the charter school for the term of the school's charter. Include a report detailing what graduates of the charter school have gone on to do after graduation. Explain how this data was collected.

6. A report on the effectiveness of the educational program of the charter school, including, without limitation, the effectiveness of any programs designed to assist pupils who meet the criteria of being "at risk" as set forth in NRS 386.500. NAC 386.300(6)

Provide a written description of the curriculum/programs being used in all subject areas and the rationale for the selection. Include in your narrative how the selected programs are meeting the needs of your students. Provide reliable documentation to support your answer.

Include the percentage of students who are determined to be at-risk in the charter school's total student population, and the defining characteristic(s) for that specific label. Describe what programs are offered to meet the needs of these students. Provide credible evidence of the success of the at-risk programs.

Describe the services offered to special education and limited English proficient students. Include the percentages of SE and LEP students in the school's population. Describe what programs are offered to meet the needs of both groups of students. Provide credible evidence of the success of these programs.

7. A summary that outlines the plans of the charter school for the next three years. NAC 386.300(7)

Provide a plan that describes the school's measurable objectives for the next three to six years. If these objectives differ from those in the application/charter, include a request for amendment (See NRS 386.527(6)) of the charter with your response to this item.

Explain how the Governing Body plans to evaluate the school's programs in the next term of its charter.

If the school contracts with an Educational Management Organization (EMO) (NRS 386.562) to provide services of any kind, explain how the governing body plans to evaluate the EMO in the next term of its charter.

What facility or facilities does the school plan to use during the term of the next charter?

8. A report on the charter school's standards of accounting and financial management, including, without limitation, whether those standards comply with generally accepted accounting principles. NAC 386.300(8)

Provide documentation that the school is financially solvent and stable. Provide evidence that the school has competently and effectively managed its finances. Address any negative findings from independent audits and/or the sponsor's annual monitoring and how the school responded to both. Any lessons learned or changes made to fiscal management should be explained.

9. Any other information the charter school wishes to submit in support of its application for renewal. NAC 386.300(9)

Application

Please provide the following for a renewal pursuant to NRS 386.530(2):

1. Any changes in any of the items listed in the initial application to form the charter school. NAC 386.310(1)

Explain how the initial application (application as approved by the sponsor and written agreement) has served the school during the term of its charter. Explain what have been the strengths and weaknesses.

Provide in detail any changes that have been made to the application/charter. Offer the reasons behind the changes and what the results have been. Provide documentation of sponsor approval of all changes and amendments to the original application. Changes and amendments that have not been approved by the sponsor will not be recognized and must be reversed.

2. A profile of the achievement of the pupils enrolled in the charter school during the preceding three years, as reflected in proficiency examinations and other means of assessment and evaluation. NAC 386.310(2)

Provide evidence that the charter school's students have made academic progress over time while enrolled in the school. As much student academic data as is available should be used to support progress.

Adequate Yearly Progress (AYP) of the charter school must also be addressed, and a current copy of the School Improvement Plan must be provided.

3. A report on the progress of the charter school toward meeting its mission, goals, and objectives. NAC 386.310(3)

To ensure that the school reports on the mission, goals, and objectives that were approved by the sponsor, the school must request from the sponsor a copy of the mission, etc., that is included in the school's charter. Provide quantitative evidence that the school has made satisfactory progress toward achievement of the mission, etc. Any claims about student performance should be supported by evidence from state-mandated assessments. If staff evaluations of student performance are included, they need to be supported by objective assessment data and documented criteria.

If the charter school has not fully reached the standard called for by a particular academic performance objective or goal, an explanation must be included about why the school considers the progress that it has made to be reasonable.

Provide a statement about the history of the school's enrollment during the term of its charter. Provide Count Day numbers and March 1st enrollment for each of the most recent three school years. Address fluctuations in enrollment.

Attach the NRS 386.610(2) three year progress report. Avoid duplicating information from that report in your response to this item.

4. A report on the effectiveness of the collaboration between licensed and nonlicensed staff members in the instructional program of the charter school. NAC 386.310(4)

Provide evidence that the school's administration, professional staff, and nonlicensed staff have performed capably and have made significant progress relative to the school's goals and objectives. This section should include discussion of teacher and staff evaluation, staff turnover, leadership changes, etc.

Provide evidence that teachers and paraprofessionals (in Title I schools) are highly qualified as required by State Law.

Evidence should be provided that the Governing Body has been responsible and effective in providing appropriate collaboration oversight, and that it has handled organizational challenges competently. Describe how the Governing Body has functioned over the term of the charter, include evidence of stability and discussion of turnover.

5. If applicable, a report on the number of pupils who have graduated from grade 12 at the charter school and the plans of those pupils for careers or continuing education. NAC 386.310(5)

Provide graduation reports, as well as dropout rates, at the charter school for the term of the school's charter. Include a report detailing what graduates of the charter school have gone on to do after graduation. Explain how this data was collected.

6. A report on the effectiveness of the educational program of the charter school, including, without limitation, the effectiveness of any programs designed to assist pupils who meet the criteria of being "at risk" as set forth in NRS 386.500. NAC 386.310(6)

Provide a written description of the curriculum/programs being used in all subject areas and the rationale for the selection. Include in your narrative how the selected programs are meeting the needs of your students. Provide reliable documentation to support your answer.

Include the percentage of students who are determined to be at-risk in the charter school's total student population, and the defining characteristic(s) for that specific label. Describe what programs are offered to meet the needs of these students. Provide credible evidence of the success of the at-risk programs.

Describe the services offered to special education and limited English proficient students. Include the percentages of SE and LEP students in the school's population. Describe what programs are offered to meet the needs of both groups of students. Provide credible evidence of the success of these programs.

7. A summary that outlines the plans of the charter school for the next three years. NAC 386.310(7)

Provide a plan that describes the school's measurable objectives for the next three to six years. If these objectives differ from those in the application/charter, include a request for amendment (See NRS 386.527(6)) of the charter with your response to this item.

Explain how the Governing Body plans to evaluate the school's programs in the next term of its charter.

If the school contracts with an Educational Management Organization (EMO) (NRS 386.562) to provide services of any kind, explain how the governing body plans to evaluate the EMO in the next term of its charter.

What facility or facilities does the school plan to use during the term of the next charter?

8. A report on the amount of money that the charter school has, on average, expended on each pupil during the preceding three years. NAC 386.310(8)

9. Any other information the charter school wishes to submit in support of its application for renewal. NAC 386.310(9)

STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

S U B J E C T: Charter school academic performance – an overview of SPCSA sponsored schools and roll out of the Nevada School Performance Framework

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / / </u>	Action

MEETING DATE: January 8, 2013

AGENDA ITEM: 7

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Katherine Rohrer, Ed.D, SPCSA

RECOMMENDATION:

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 15 mins

BACKGROUND:

SUBMITTED BY: _____

2011/2012 AYP Designations

Elementary School Designations

School	Made AYP	Designation
Coral	Yes	High Achieving--Growth
Discovery	Yes	Adequate
Elko	Yes	Adequate
NV Connections	No	In Need of Improvement (Year 1)
NV Virtual	No	In Need of Improvement (Year 3)
Oasis	Yes	High Achieving-Status
Quest	Yes	Adequate
Silver Sands	Yes	High Achieving--Growth
Somerset	Yes	Adequate

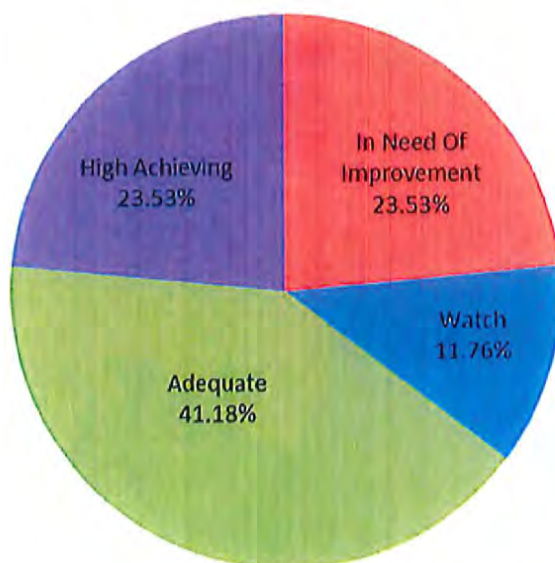
Middle School Designations

School	Made AYP	Designation
Silver State Charter	No	In Need of Improvement (Year 1)

High School Designations

School	Made AYP	Designation
Alpine	Yes	Adequate
Beacon	Yes	Adequate
Coral	Yes	Adequate
NV Connections	No	Watch
NV State High School	Yes	Continuing Exemplary
NV Virtual	No	Watch
Silver State Charter	No	In Need of Improvement (Year 1)

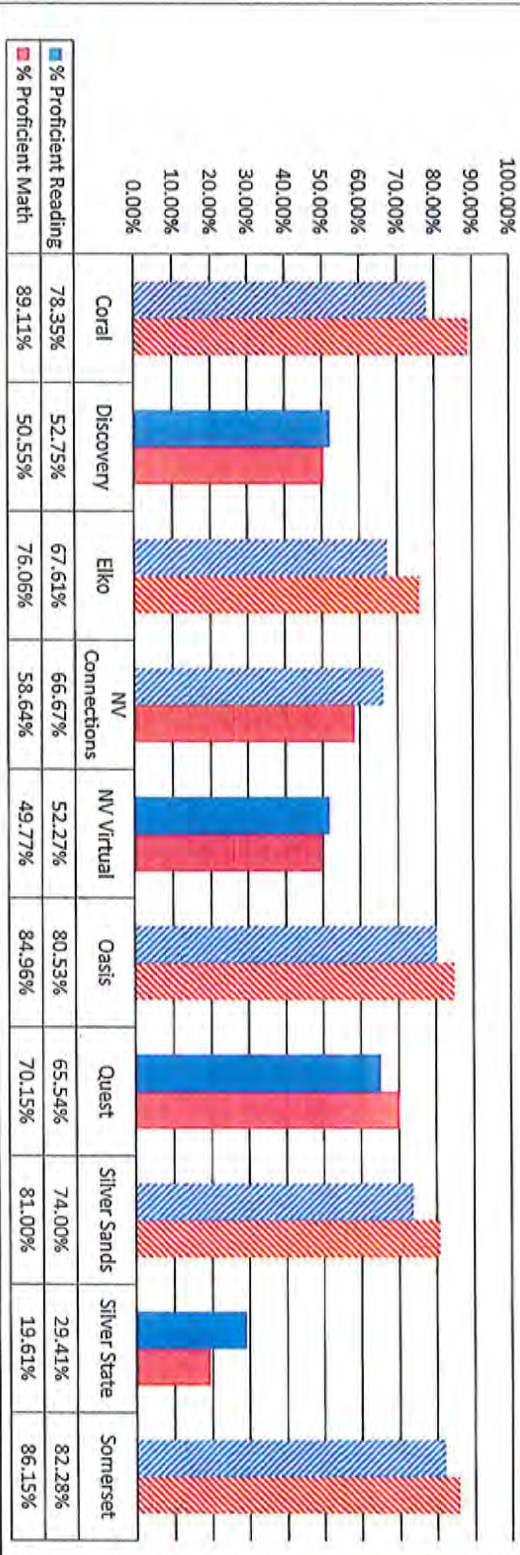
Overview of SPCSA AYP Designations



N=17--9 elementary school; 1 middle school; and 7 high schools

School	Total # tested	Year in School		% Year in School		% Proficient	
		Reading	Math	Reading	Math	Reading	Math
Coral	733	716	716	97.68%	97.68%	78.35%	89.11%
Discovery	115	91	91	79.13%	79.13%	52.75%	50.55%
Elko	87	71	71	81.61%	81.61%	67.61%	76.06%
NV Connections	666	573	573	86.04%	86.04%	66.67%	58.64%
NV Virtual	2254	1299	1300	57.63%	57.68%	52.27%	49.77%
Oasis	120	113	113	94.17%	94.17%	80.53%	84.96%
Quest	345	325	325	94.20%	94.20%	65.54%	70.15%
Silver Sands	102	100	100	98.04%	98.04%	74.00%	81.00%
Silver State	90	51	51	56.67%	56.67%	29.41%	19.61%
Somerset	514	491	491	95.53%	95.53%	82.28%	86.15%

2011/2012 % of student proficient AYP CRT Files



AMO Reading ES
AMO Math ES

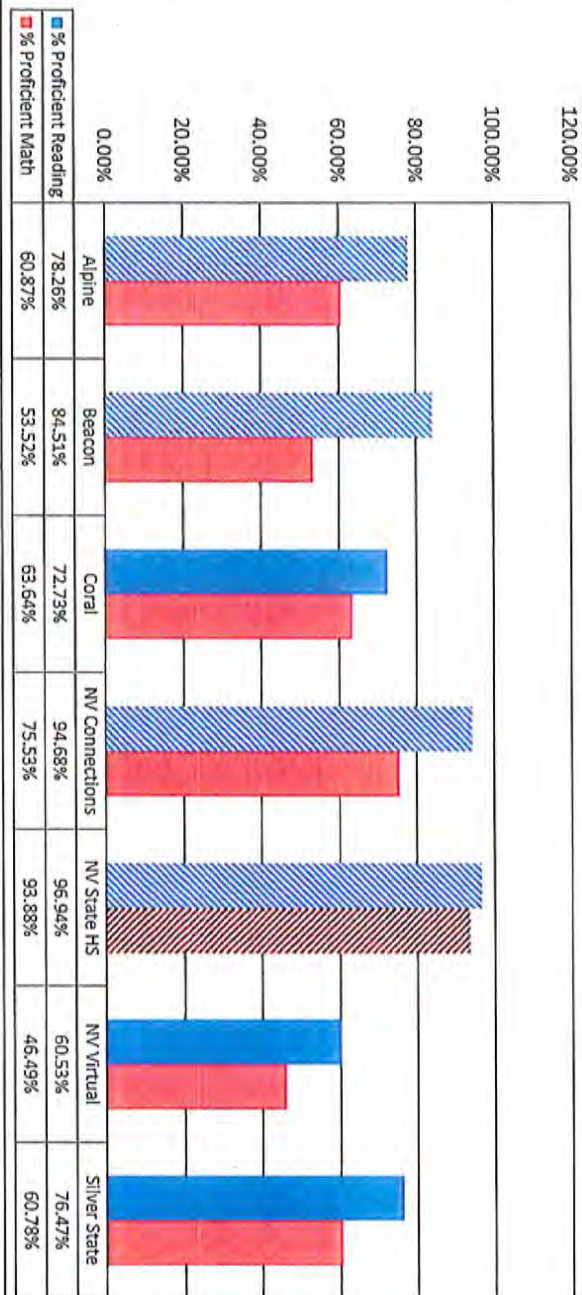
65.83%
73.56% school meets ES reading AMO
school meets ES math AMO

AMO Reading MS
AMO Math MS

56.43%
69.98%

School	Total # tested	Reading % YIS	Math % YIS	Reading % Proficient	Math % Proficient
Alpine	29	23	23	79.31%	78.26%
Beacon	99	71	71	71.72%	84.51%
Coral	11	11	11	100.00%	72.73%
NV Connections	110	94	94	85.45%	94.68%
NV State HS	101	98	98	97.03%	96.94%
NV Virtual	233	114	114	48.93%	60.53%
Silver State	71	51	51	71.83%	76.47%

2011/2012 % of students proficient AVP HSPE files



AMO Reading HS
AMO Math HS

76.92% school meets HS reading AMO
81.51% school meets HS math AMO

STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

S U B J E C T: Review of the Draft SPCSA
School Performance Frameworks and overview
of SY 2012/2013 Annual Performance Audit
procedures.

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / / </u>	Action

MEETING DATE: January 8, 2013

AGENDA ITEM: 8

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Steve Canavero, PhD, Director; Brian Flanner, Administrative Services Officer, SPCSA; Katherine Rohrer, Ed.D, Education Program Professional, SPCSA; Tom McCormack, Education Program Professional, SPCSA

RECOMMENDATION:

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 45 mins

BACKGROUND:

SUBMITTED BY: _____

Performance Framework

Values

Fairness

Defensibility (valid and reliable)

Transparency

Sensitivity (to the unique missions of charter schools)

Accuracy

Stability

Clarity

Multi-Dimensional

Actionable

Continuous improvement

DRAFT

2.1 Student Progress Over Time (Growth)

2.1.a Are schools making adequate progress based on the school's Median Student Growth Percentiles in reading? (EL, MS, HS)

Meets Standard	Exceptional:	$\geq 95^{\text{th}}$ percentile
	Exceeds:	$\geq 75^{\text{th}}$ percentile and $< 95^{\text{th}}$ percentile
	Adequate:	$\geq 50^{\text{th}}$ percentile and $< 75^{\text{th}}$ percentile
Doesn't Meet Standard	Approaches:	$\geq 25^{\text{th}}$ percentile and $< 50^{\text{th}}$ percentile
	Needs Improvement:	$\geq 5^{\text{th}}$ percentile and $< 25^{\text{th}}$ percentile
	Critical:	$< 5^{\text{th}}$ percentile

2.1.b Are schools making adequate progress based on the school's Median Student Growth Percentiles in math? (EL, MS, HS)

Meets Standard	Exceptional:	$\geq 95^{\text{th}}$ percentile
	Exceeds:	$\geq 75^{\text{th}}$ percentile and $< 95^{\text{th}}$ percentile
	Adequate:	$\geq 50^{\text{th}}$ percentile and $< 75^{\text{th}}$ percentile
Doesn't Meet Standard	Approaches:	$\geq 25^{\text{th}}$ percentile and $< 50^{\text{th}}$ percentile
	Needs Improvement:	$\geq 5^{\text{th}}$ percentile and $< 25^{\text{th}}$ percentile
	Critical:	$< 5^{\text{th}}$ percentile

2.1.c Using Median Student Growth Percentiles, are schools making adequate progress in reading when compared with similar schools in the state? (EL, MS, HS)

Meets Standard	Exceptional:	$\geq 95^{\text{th}}$ percentile
	Exceeds:	$\geq 75^{\text{th}}$ percentile and $< 95^{\text{th}}$ percentile
	Adequate:	$\geq 50^{\text{th}}$ percentile and $< 75^{\text{th}}$ percentile
Doesn't Meet Standard	Approaches:	$\geq 25^{\text{th}}$ percentile and $< 50^{\text{th}}$ percentile
	Needs Improvement:	$\geq 5^{\text{th}}$ percentile and $< 25^{\text{th}}$ percentile
	Critical:	$< 5^{\text{th}}$ percentile

2.1.d Using Median Student Growth Percentiles, are schools making adequate progress in math when compared with similar schools in the state? (EL, MS, HS)

Meets Standard	Exceptional:	$\geq 95^{\text{th}}$ percentile
	Exceeds:	$\geq 75^{\text{th}}$ percentile and $< 95^{\text{th}}$ percentile
	Adequate:	$\geq 50^{\text{th}}$ percentile and $< 75^{\text{th}}$ percentile
Doesn't Meet Standard	Approaches:	$\geq 25^{\text{th}}$ percentile and $< 50^{\text{th}}$ percentile
	Needs Improvement:	$\geq 5^{\text{th}}$ percentile and $< 25^{\text{th}}$ percentile
	Critical:	$< 5^{\text{th}}$ percentile

2.1.e Are schools making adequate growth based on the percentage of students meeting AGP in reading? (EL, MS)

Meets Standard	Exceptional:	$\geq 95^{\text{th}}$ percentile
	Exceeds :	$\geq 75^{\text{th}}$ percentile and $< 95^{\text{th}}$ percentile
	Adequate:	$\geq 50^{\text{th}}$ percentile and $< 75^{\text{th}}$ percentile
Doesn't Meet Standard	Approaches:	$\geq 25^{\text{th}}$ percentile and $< 50^{\text{th}}$ percentile
	Needs Improvement:	$\geq 5^{\text{th}}$ percentile and $< 25^{\text{th}}$ percentile
	Critical:	$< 5^{\text{th}}$ percentile

2.1.f Are schools making adequate growth based on the percentage of students meeting AGP in math? (EL, MS)

Meets Standard	Exceptional:	$\geq 95^{\text{th}}$ percentile
	Exceeds:	$\geq 75^{\text{th}}$ percentile and $< 95^{\text{th}}$ percentile
	Adequate:	$\geq 50^{\text{th}}$ percentile and $< 75^{\text{th}}$ percentile
Doesn't Meet Standard	Approaches:	$\geq 25^{\text{th}}$ percentile and $< 50^{\text{th}}$ percentile
	Needs Improvement:	$\geq 5^{\text{th}}$ percentile and $< 25^{\text{th}}$ percentile
	Critical:	$< 5^{\text{th}}$ percentile

2.1.g Are students in sub-groups (FRL, ELL, IEP) making adequate growth based on the percentage of students meeting AGP in reading? (EL, MS)

Meets Standard	Exceptional:	$\geq 95^{\text{th}}$ percentile
	Exceeds:	$\geq 75^{\text{th}}$ percentile and $< 95^{\text{th}}$ percentile
	Adequate:	$\geq 50^{\text{th}}$ percentile and $< 75^{\text{th}}$ percentile
Doesn't Meet Standard	Approaches:	$\geq 25^{\text{th}}$ percentile and $< 50^{\text{th}}$ percentile
	Needs Improvement:	$\geq 5^{\text{th}}$ percentile and $< 25^{\text{th}}$ percentile
	Critical:	$< 5^{\text{th}}$ percentile

2.1.h Are students in sub-groups (FRL, ELL, IEP) making adequate growth based on the percentage of students meeting AGP in math? (EL, MS)

Meets Standard	Exceptional:	$\geq 95^{\text{th}}$ percentile
	Exceeds:	$\geq 75^{\text{th}}$ percentile and $< 95^{\text{th}}$ percentile
	Adequate:	$\geq 50^{\text{th}}$ percentile and $< 75^{\text{th}}$ percentile
Doesn't Meet Standard	Approaches:	$\geq 25^{\text{th}}$ percentile and $< 50^{\text{th}}$ percentile
	Needs Improvement:	$\geq 5^{\text{th}}$ percentile and $< 25^{\text{th}}$ percentile
	Critical:	$< 5^{\text{th}}$ percentile

2.2 Student Achievement (Status)

2.2.a Are students achieving proficiency on state examinations in reading? (EL, MS, HS)

Meets Standard	Exceptional:	$\geq 95^{\text{th}}$ percentile
	Exceeds:	$\geq 75^{\text{th}}$ percentile and $< 95^{\text{th}}$ percentile
	Adequate:	$\geq 50^{\text{th}}$ percentile and $< 75^{\text{th}}$ percentile
Doesn't Meet Standard	Approaches:	$\geq 25^{\text{th}}$ percentile and $< 50^{\text{th}}$ percentile
	Needs Improvement:	$\geq 5^{\text{th}}$ percentile and $< 25^{\text{th}}$ percentile
	Critical:	$< 5^{\text{th}}$ percentile

2.2.b Are students achieving proficiency on state examinations in math? (EL, MS, HS)

Meets Standard	Exceptional:	$\geq 95^{\text{th}}$ percentile
	Exceeds:	$\geq 75^{\text{th}}$ percentile and $< 95^{\text{th}}$ percentile
	Adequate:	$\geq 50^{\text{th}}$ percentile and $< 75^{\text{th}}$ percentile
Doesn't Meet Standard	Approaches:	$\geq 25^{\text{th}}$ percentile and $< 50^{\text{th}}$ percentile
	Needs Improvement:	$\geq 5^{\text{th}}$ percentile and $< 25^{\text{th}}$ percentile
	Critical:	$< 5^{\text{th}}$ percentile

2.2.c Are students in sub-groups (FRL, ELL, IEP) achieving proficiency on state examinations in reading? (HS)

Meets Standard	Exceptional:	$\geq 95^{\text{th}}$ percentile
	Exceeds:	$\geq 75^{\text{th}}$ percentile and $< 95^{\text{th}}$ percentile
	Adequate:	$\geq 50^{\text{th}}$ percentile and $< 75^{\text{th}}$ percentile
Doesn't Meet Standard	Approaches:	$\geq 25^{\text{th}}$ percentile and $< 50^{\text{th}}$ percentile
	Needs Improvement:	$\geq 5^{\text{th}}$ percentile and $< 25^{\text{th}}$ percentile
	Critical:	$< 5^{\text{th}}$ percentile

2.2.d Are students in sub-groups (FRL, ELL, IEP) achieving proficiency on state examinations in math? (HS)

Meets Standard	Exceptional:	$\geq 95^{\text{th}}$ percentile
	Exceeds:	$\geq 75^{\text{th}}$ percentile and $< 95^{\text{th}}$ percentile
	Adequate:	$\geq 50^{\text{th}}$ percentile and $< 75^{\text{th}}$ percentile
Doesn't Meet Standard	Approaches:	$\geq 25^{\text{th}}$ percentile and $< 50^{\text{th}}$ percentile
	Needs Improvement:	$\geq 5^{\text{th}}$ percentile and $< 25^{\text{th}}$ percentile
	Critical:	$< 5^{\text{th}}$ percentile

2.3 State and Federal Accountability

2.3.a Does the school's State rating and designation reflect high performance? (EL, MS, HS)

Meets Standard	Exceptional:	$\geq 95^{\text{th}}$ percentile
	Exceeds:	$\geq 75^{\text{th}}$ percentile and $< 95^{\text{th}}$ percentile
	Adequate:	$\geq 50^{\text{th}}$ percentile and $< 75^{\text{th}}$ percentile
Doesn't Meet Standard	Approaches:	$\geq 25^{\text{th}}$ percentile and $< 50^{\text{th}}$ percentile
	Needs Improvement:	$\geq 5^{\text{th}}$ percentile and $< 25^{\text{th}}$ percentile
	Critical:	$< 5^{\text{th}}$ percentile

2.4: Career and College Readiness

2.4.a Are schools obtaining a 95% participation rate: (MS, HS)

- of all 8th grade students enrolled at time of administering the EXPLORE?
- of all 9th grade students enrolled at time of administering the EXPLORE? (Explore will only be administered to 9th grade students who did not previously participate in an 8th grade administration)
- of all 10th grade students enrolled at time of administering the PLAN?
- of all 11th grade students enrolled at time of administering the PLAN? (Plan will only be administered to 11th grade students who did not previously participate in a 10th grade administration)

☐ Yes

☐ No

2.4.b Based on scores obtained from EXPLORE and PLAN, are students making adequate growth for being college ready by the time they graduate? (HS)

Meets Standard	Exceptional:	
	Exceeds:	
	Adequate:	
Doesn't Meet Standard	Approaches:	
	Needs Improvement:	
	Critical:	

2.4.c Are students on target for being college ready by the time they graduate as measured by the EXPLORE and PLAN career and college readiness bench marks in English and Math? (MS, HS)

English

Meets Standard	Exceptional:	$\geq 69\%$
	Exceeds:	$\geq 63\%$ and $< 69\%$
	Adequate:	$\geq 57\%$ and $< 63\%$
Doesn't Meet Standard	Approaches:	$\geq 51\%$ and $< 57\%$
	Needs Improvement:	$\geq 45\%$ and $< 51\%$
	Critical:	$< 35\%$

Math

Meets Standard	Exceptional:	≥45%
	Exceeds	≥35% and <45%
	Adequate:	≥25% and <35%
Doesn't Meet Standard	Approaches:	≥15% and <25%
	Needs Improvement:	≥5% and <15%
	Critical:	<5%

2.4.d Are students graduating from high school? (HS)

- Based on a four-year adjusted cohort graduation rate
- Based on a five-year adjusted cohort graduation rate

Meets Standard	Exceptional:	≥95 th percentile
	Exceeds:	≥75 th percentile and <95 th percentile
	Adequate:	≥50 th percentile and <75 th percentile
Doesn't Meet Standard	Approaches:	≥25 th percentile and <50 th percentile
	Needs Improvement:	≥5 th percentile and <25 th percentile
	Critical:	<5 th percentile

2.4.e Are high school graduates enrolled in post-secondary institutions in the fall following graduation? (HS)

Exceeds Standard: ≥90% of high school graduates gained admission to a post-secondary institution and were enrolled in the fall following graduation

Meets Standard: ≥70% and <89% of high school graduates gained admission to a post-secondary institution and were enrolled in the fall following graduation

Does Not Meet Standard: ≥50% and <69% of high school graduates gained admission to a post-secondary institution and were enrolled in the fall following graduation

Fall Far Below Standard: <50% of high school graduates gained admission to a post-secondary institution and were enrolled in the fall following graduation

2.4.f Are high school graduates still enrolled in post-secondary institutions 18 months following graduation? (HS)

Exceeds Standard: ≥55% of high school graduates who gained admission to a post-secondary institution were still enrolled 18 months after graduation.

Meets Standard: ≥45% and <54% of high school graduates who gained admission to a post-secondary institution were still enrolled 18 months after graduation.

Does Not Meet Standard: ≥30% and <44% of high school graduates who gained admission to a post-secondary institution were still enrolled 18 months after graduation.

Fall Far Below Standard: <30% of high school graduates who gained admission to a post-secondary institution were still enrolled 18 months after graduation.

2.4.g Are high school graduates who did not enroll in post-secondary institutions after graduation employed in January following graduation? (Include military service) (HS)

Exceeds Standard: ≥90% of high school graduates who did not enroll in post-secondary institutions after graduation were employed in January following graduation.

Meets Standard: ≥70% and <89% of high school graduates who did not enroll in post-secondary institutions after graduation were employed in January following graduation.

Does Not Meet Standard: ≥50% and <69% of high school graduates who did not enroll in post-secondary institutions after graduation were employed in January following graduation.

Fall Far Below Standard: <50% of high school graduates who did not enroll in post-secondary institutions after graduation were employed in January following graduation.

2.5 Mission-Specific Academic Goals

2.5.a Is the school meeting mission-specific academic goals? (EL, MS, HS)

Exceeds Standard: School surpassed its mission-specific goal.

Meets Standard: School met its mission-specific goal.

Does Not Meet Standard: School did not meet its mission specific goal.

DRAFT

Organizational Performance Framework

Note: [number] in the “Meets Standard,” “Approaches Standard,” and “Doesn’t Meet Standard” statements needs to be determined.

Organizational Framework Indicator	Basis for compliance determination	Require new collection?	Who determines compliance?	APA	Notes for SPCSA only; these notes are to be removed from the final version provided to a school.
INDICATOR 1: EDUCATIONAL PROGRAM					
1.a ESSENTIAL TERMS OF THE CHARTER AGREEMENT : Is the school implementing the essential terms of the education program as defined in the current charter agreement? The school implemented the essential terms of the education program in all material respects. The education program in operation reflects the essential terms as defined in the charter agreement.					
<u>Meets Standard:</u> [number] of the conditions 1.a.1 through 1.a.2, below, are met.					
<u>Approaches Standard:</u> [number] of the conditions 1.a.1 through 1.a.2, below, are met.					
<u>Doesn’t Meet Standard:</u> [number] of the					

conditions 1.a.1 through 1.a.2, below, are met.						
1.a.1: The school complies with the essential terms of the education program as stated in the charter: yes/no					1	
1.a.2: The school, if intended primarily for at-risk pupils, complies with NRS 386.500 and NAC 386.150(9) regarding serving at-risk pupils: yes/no					6	
1.b EDUCATION REQUIREMENTS: Is the school complying with applicable education requirements? The school materially complies with applicable laws, rules, regulations, and provisions of the charter agreement relating to education requirements. <u>Meets Standard:</u> [number] of the conditions 1.b.1 through 1.b.8, below, are met. <u>Approaches Standard:</u> [number] of the conditions 1.b.1 through 1.b.8, below, are met. <u>Doesn't Meet Standard:</u> [number] of the conditions 1.b.1 through 1.b.8, below, are met.						
1.b.1: The school complies with					17	

NRS 386.550(1)(i) and NRS 389.018(1) by providing instruction in the core academic subjects: yes/no						
1.b.2: The school complies with NRS 386.550(1)(i) by providing the courses of study required for promotion or graduation: yes/no	18					
1.b.3: The school complies with NRS 386.550(1)(f) and NAC 386.350(7) regarding amount of instructional time: yes/no						
1.b.4: The school complies with NRS 386.583 regarding academic retention requirements: yes/no						
1.b.5: The school complies with applicable promotion and graduation requirements: yes/no						
1.b.6: The school complies with applicable statutes and regulations regarding the state's adopted curriculum content standards: yes/no						
1.b.7: The school complies with NRS 386.550(1)(g) and Chapters 389 of NRS and NAC regarding state assessments and testing practices: yes/no	11					
1.b.8: The school complies with all applicable requirements regarding programming and reporting resulting from federal or non-DSA state funding including Title I, Title IIa, and Title III:						

yes/no					
<p>1.c STUDENTS WITH DISABILITIES : Is the school protecting the rights of students with disabilities?</p> <p>Consistent with the school's status and responsibilities as either a Local Education Agency (LEA) or school in a district LEA, the school materially complies with applicable laws, rules, regulations, and provisions of the charter agreement (including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act) relating to the treatment of students with identified disabilities and those suspected of having a disability.</p> <p><u>Meets Standard:</u> [number] of the conditions 1.c.1 through 1.c.1, below, are met.</p> <p><u>Approaches Standard:</u> [number] of the conditions 1.c.1 through 1.c.1, below, are met.</p> <p><u>Doesn't Meet Standard:</u> [number] of the conditions 1.c.1 through 1.c.1, below, are met.</p>					
<p>1.c.1: The Charter School assures that it will adopt procedures that align with state and federal</p>				16	

<p>requirements in the following areas:</p> <p>Confidentiality (34 CFR 300.611-300.625, 34 CFR Part 99)</p> <p>Transmittal of Records (34 CFR 300.323; NAC 388.261)</p> <p>Procedural Safeguards (34 CFR 300.300, 300.503, 300.504, 300.505; NAC 388.300)</p> <p>Dispute Resolution (34 CFR 300.506, 300.507, 300.508, 300.510, 300.511, 300.512, 300.515, 300.532, 300.533; NAC 388.315)</p> <p>Surrogate Parents (34 CFR 300.519; NAC 388.283)</p> <p>Child Find Process (34 CFR 300.111; NAC 388.215, 388.292)</p> <p>Evaluation/Reevaluation/Eligibility (34 CFR 300.301, 300.303, 300.305, 300.306; NAC 388.336, 388.337, 388.340-388.401)</p> <p>Individualized Educational Program (IEP) Development (34 CFR 300.321, 300.322, 300.323; NAC 388.281, 388.284)</p>					
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<p>IEP Considerations and Components (34 CFR 300.116, 300.320, 300.321, 300.324; NAC 388.284)</p> <p>Placement (34 CFR 300.115, 300.116; NRS 385.580; NAC 388.245)</p> <p>Transfer Students (34 CFR 300.323; NAC 388.263)</p> <p>Discipline (34 CFR 300.536; NAC 388.265)</p> <p>Independent Educational Evaluation (34 CFR 300.502; NAC 388.450)</p> <p>Collection and Reporting of Timely and Accurate Data upon Request of the NDE: yes/no</p>						
<p>1.d ENGLISH LANGUAGE LEARNER</p> <p>STUDENTS: Is the school protecting the rights of English Language Learner (ELL) students?</p> <p>The school materially complies with applicable laws, rules, regulations, and provisions of the charter agreement (including Title III of the Elementary and Secondary Education Act (ESEA) and US Department of Education authorities)</p>						

relating to English Language Learner requirements.					
<u>Meets Standard:</u> [number] of the conditions 1.d.1 through 1.d.7, below, are met.					
<u>Approaches Standard:</u> [number] of the conditions 1.d.1 through 1.d.7, below, are met.					
<u>Doesn't Meet Standard:</u> [number] of the conditions 1.d.1 through 1.d.7, below, are met.					
1.d.1: Proper steps for identification of students in need of ELL services: yes/no					
1.d.2: Appropriate and equitable delivery of services to identified students: yes/no					
1.d.3: Appropriate accommodations on assessments: yes/no					
1.d.4: Evaluation of ELLs': English Language Progress and Attainment (Exiting from program-Proficiency), and content Achievement: yes/no					
1.d.5: Ongoing monitoring of exited students (for 2 years after program exit): yes/no					
1.d.6: Assess the success of the ELL program and modify it where					

needed: yes/no							
1.d.7: Collection and Reporting of Timely and Accurate Data upon Request of the NDE/SPCSA: yes/no							
INDICATOR 2: FINANCIAL MANAGEMENT AND OVERSIGHT							
2.a FINANCIAL REPORTING AND COMPLIANCE : Is the school meeting financial reporting and compliance requirements? The school materially complies with applicable laws, rules, regulations and provisions of the charter agreement relating to financial reporting requirements. <u>Meets Standard:</u> [number] of the conditions 2.a.1 through 2.a.6, below, are met. <u>Approaches Standard:</u> [number] of the conditions 2.a.1 through 2.a.6, below, are met. <u>Doesn't Meet Standard:</u> [number] of the conditions 2.a.1 through 2.a.6, below, are met.							
2.a.1: The school complies with NRS 386.540 and NAC 387.625 regarding completion and on-time submission of the annual						7	

independent audit and corrective action plans, if applicable: yes/no					
2.a.2: The school complies with NRS 386.570 regarding all money received must be deposited in a financial institution in this state: yes/no	8				
2.a.3: The school complies with NRS 386.550, NRS 387.303 and NAC 387.725 regarding the adoption of a final budget: yes/no	9				
2.a.4: The governing body of the school complies, in writing, with NRS 386.573 regarding orders for payment of money: yes/no	10				
2.a.5: The school has submitted required expenditure reporting to InSite (SchoolInomics Consulting Services): yes/no					
2.a.6: The school has submitted quarterly reports of actual receipts and expenditures compared to the most recent final, amended or augmented board-approved budget: yes/no					
2.b FINANCIAL MANAGEMENT AND OVERSIGHT: Is the school following Generally Accepted Accounting Principles? The school materially complies with applicable laws, rules, regulations and provisions of the charter agreement relating to financial management and					

oversight expectations as evidenced by 2.b.1 through 2.b.6, below:					
<u>Meets Standard:</u> [number] of the conditions 2.b.1 through 2.b.6, below, are met.					
<u>Approaches Standard:</u> [number] of the conditions 2.b.1 through 2.b.6, below, are met.					
<u>Doesn't Meet Standard:</u> [number] of the conditions 2.b.1 through 2.b.6, below, are met.					
2.b.1: An unqualified audit opinion in an annual independent audit as required by NRS 386.540 and NAC 387.625: yes/no	7				
2.b.2: An annual independent audit, as required by NRS 386.540 and NAC 387.625, devoid of significant findings and conditions, material weaknesses, or significant internal control weaknesses: yes/no	7				
2.b.3: An annual independent audit, as required by NRS 386.540 and NAC 387.625, that does not include a going concern disclosure in the notes or an explanatory paragraph within the audit report: yes/no	7				
2.b.4: The school's governing	7				

body has adopted a comprehensive written set of financial policies: yes/no					
2.b.5: Internal control testing as part of the annual independent audit in conformity with NRS 386.540 and NAC 387.625: yes/no	7				
2.b.6: Financial Transaction Testing in conformity with NAC 387.625: yes/no	7				
INDICATOR 3: GOVERNANCE AND REPORTING					
3.a GOVERNANCE AND REPORTING: Is the school complying with governance requirements? The school materially complies with the following laws, regulations, policies, bylaws and provisions of the charter contract relating to governance by its board: <u>Meets Standard:</u> [number] of the conditions 3.a.1 through 3.a.7, below, are met. <u>Approaches Standard:</u> [number] of the conditions 3.a.1 through 3.a.7, below, are met. <u>Doesn't Meet Standard:</u> [number] of the conditions 3.a.1 through 3.a.7, below, are met.					

3.a.1: Board policies adopted by the board and housed in AOIS' Permanent Files, if such policies have been adopted by the board and submitted into AOIS. <u>yes/no</u>					
3.a.2: NRS 386.520, board bylaws as approved by the sponsor. <u>yes/no</u>					
3.a.3: NRS 386.550, the Open Meeting Law. <u>yes/no</u>					
3.a.4: NRS 386.549, conducting at least quarterly meetings. <u>yes/no</u>	3				
3.a.5: NRS 386.549, salary for meeting attendance. <u>yes/no</u>					
3.a.6: NRS 386.549, submission of signed and notarized affidavit for board service. <u>yes/no</u>	2				
3.a.7: NRS 386.549, board composition/required membership. <u>yes/no</u>	2				
3.b MANAGEMENT ACCOUNTABILITY: Is the school holding management accountable? The school materially complies with the following laws, rules, regulations and provisions of the charter agreement relating to oversight of school management: <u>Meets Standard: [number] of the conditions 3.b.1 through 3.b.3, below, are met.</u>					

Approaches Standard: [number] of the conditions 3.b.1 through 3.b.3, below, are met.						
<u>Doesn't Meet Standard:</u> [number] of the conditions 3.b.1 through 3.b.3, below, are met.						
3.b.1: NAC 386.405(5), evaluation of any EMO with which the school has contracted, per the written performance agreement between the board and the EMO if applicable. yes/no	5					
3.b.2: NAC 386.405(6), provision by the EMO, if applicable, of the financial report. yes/no						
3.b.3: Evaluation of the performance of each entity with whom the board has entered into a contract, including the school administrator. yes/no	5					
3.c REPORTING REQUIREMENTS: Is the school complying with reporting requirements? The school materially complies with applicable laws, rules, regulations and provisions of the charter agreement relating to relevant reporting requirements to the school's authorizer, state education agency, district education department, and/or federal authorities.						

Meets Standard: [number] of the conditions 3.c.1 through 3.c.2, below, are met.						
Approaches Standard: [number] of the conditions 3.c.1 through 3.c.2, below, are met.						
Doesn't Meet Standard: [number] of the conditions 3.c.1 through 3.c.2, below, are met.						
3.c.1: The school complies with reporting requirements as described in the AOIS Reporting Requirements Manual including those related to the AOIS Permanent Files: yes/no						
3.c.2: The school complies with reporting requirements related to an authorizer-imposed corrective action plan or notice of concern, if applicable: yes/no						
INDICATOR 4: STUDENTS AND EMPLOYEES						
4.a RIGHTS OF STUDENTS: Is the school protecting the rights of all students? The school materially complies with applicable laws, rules, regulations, and provisions of the charter agreement relating to the rights of students.						
Meets Standard: [number] of the						

conditions 4.a.1 through 4.a.5, below, are met. <u>Approaches Standard:</u> [number] of the conditions 4.a.1 through 4.a.5, below, are met. <u>Doesn't Meet Standard:</u> [number] of the conditions 4.a.1 through 4.a.5, below, are met.						
4.a.1: The school's lottery method, maintenance of an enrollment waiting list, and enrollment practices are consistent with guidance provided by the Authority on its website: yes/no	22					
4.a.2: The school's enrollment recruiting and advertising comply with the school's charter school application as stated in Required Element A.7.4 and elsewhere: yes/no						
4.a.3: The school collects, protects and uses student information appropriately: yes/no						
4.a.4: The school complies with NRS 386.555 regarding the prohibition of support by or affiliation with religion or religious organizations: yes/no						
4.a.5: The school complies with NRS 386.585 and NRS 392.4655-	14					

<p>.4675 regarding school discipline: yes/no</p> <p>Note: Proper handling of discipline processes for students with disabilities is addressed more specifically in Section 1.c.</p>						
<p>4.b ATTENDANCE GOALS: Is the school meeting attendance goals?</p> <p>The school materially complies with applicable laws, rules, regulations, and provisions of the charter agreement relating to attendance goals.</p> <p><u>Meets Standard:</u> [number] of the conditions 4.b.1 through 4.b.1, below, are met.</p> <p><u>Approaches Standard:</u> [number] of the conditions 4.b.1 through 4.b.1, below, are met.</p> <p><u>Doesn't Meet Standard:</u> [number] of the conditions 4.b.1 through 4.b.1, below, are met.</p>						
<p>4.b.1: The school complies with NAC 386.350 regarding attendance: yes/no</p>					15	
<p>4.c STAFF CREDENTIALS: Is the school meeting teacher and other staff credentialing requirements, per charter law?</p>						

<p>The school materially complies with applicable laws, rules, regulations, and provisions of the charter agreement (including the federal Highly Qualified Teacher and Paraprofessional requirements within Title II of the ESEA) relating to state certification requirements.</p> <p><u>Meets Standard:</u> [number] of the conditions 4.c.1 through 4.c.1, below, are met.</p> <p><u>Approaches Standard:</u> [number] of the conditions 4.c.1 through 4.c.1, below, are met.</p> <p><u>Doesn't Meet Standard:</u> [number] of the conditions 4.c.1 through 4.c.1, below, are met.</p>				
<p>4.c.1: The school complies with NRS 386.590 regarding staff credentialing: yes/no</p>	19			
<p>4.d EMPLOYEE RIGHTS: Is the school complying with laws regarding employee rights?</p> <p>The school materially complies with applicable laws, rules, regulations and provisions of the charter agreement relating to employment considerations, including those relating to the Family</p>				

<p>Medical Leave Act, the Americans with Disabilities Act and employment contracts. The school does not interfere with employees' rights to organize collectively or otherwise violate staff collective bargaining rights.</p> <p><u>Meets Standard:</u> [number] of the conditions 4.d.1 through 4.d.1, below, are met.</p> <p><u>Approaches Standard:</u> [number] of the conditions 4.d.1 through 4.d.1, below, are met.</p> <p><u>Doesn't Meet Standard:</u> [number] of the conditions 4.d.1 through 4.d.1, below, are met.</p>					
<p>4.d.1: The school complies with NRS 386.595 regarding employee rights: yes/no</p>	20				
<p>4.e BACKGROUND CHECKS: Is the school completing required background checks?</p> <p>The school materially complies with applicable laws, rules, regulations, and provisions of the charter agreement relating to background checks of all applicable individuals (including staff and members of the charter community, where applicable).</p> <p><u>Meets Standard:</u> [number] of the</p>					

conditions 4.e.1 through 4.e.1, below, are met.					
<u>Approaches Standard:</u> [number] of the conditions 4.e.1 through 4.e.1, below, are met.					
<u>Doesn't Meet Standard:</u> [number] of the conditions 4.e.1 through 4.e.1, below, are met.					
4.e.1: The school complies with NRS 386.588 regarding criminal history of employees: yes/no					
INDICATOR 5: SCHOOL ENVIRONMENT					
5.a FACILITIES AND TRANSPORTATION: Is the school complying with facilities and transportation requirements?					
The school materially complies with applicable laws, rules, regulations and provisions of the charter agreement relating to the school facilities, grounds, and transportation.					
<u>Meets Standard:</u> [number] of the conditions 5.a.1 through 5.a.3, below, are met.					
<u>Approaches Standard:</u> [number] of the conditions 5.a.1 through 5.a.3, below, are met.					
<u>Doesn't Meet Standard:</u> [number] of the					

conditions 5.a.1 through 5.a.3, below, are met.						
5.a.1: Have current fire, building, health and asbestos inspection documents and approvals, including the certificate of occupancy, been submitted into AOIS in compliance with NAC 386.170? yes/no	13					
5.a.2: The school complies with NAC 386.215 regarding insurance coverage by submitting into AOIS the current Affidavit for Provision of Insurance Coverage: yes/no	27					
5.a.3: The school complies with Section C.4 of its charter school application and NRS 392.300-392.410 regarding pupil transportation: yes/no						
5.b HEALTH AND SAFETY: Is the school complying with health and safety requirements? The school materially complies with applicable laws, rules, regulations and provisions of the charter agreement relating to safety and the provision of health related services. <u>Meets Standard:</u> [number] of the conditions 5.b.1 through 5.b.1, below, are met.						

<p><u>Approaches Standard:</u> [number] of the conditions 5.b.1 through 5.b.1, below, are met.</p> <p>Doesn't Meet Standard: [number] of the conditions 5.b.1 through 5.b.1, below, are met.</p>						
<p>5.b.1: The school complies with NRS 389.065 (sex education); NRS 391.207-391.208 (nursing services); NRS 392.420, 392.425, 392.430, 392.435, 392.437, 392.439, 392.443, 392.446, and 392.448 (school health and safety); and NAC 389.2423, 389.2938, 389.381, and 389.455: yes/no</p>	12					
<p>5.c INFORMATION MANAGEMENT: Is the school handling information appropriately?</p> <p>The school materially complies with applicable laws, rules, regulations and provisions of the charter agreement relating to information security.</p> <p><u>Meets Standard:</u> [number] of the conditions 5.c.1 through 5.c.4, below, are met.</p> <p><u>Approaches Standard:</u> [number] of the conditions 5.c.1 through 5.c.4, below, are met.</p>						

Doesn't Meet Standard: [number] of the conditions 5.c.1 through 5.c.4, below, are met.									
5.c.1: The school complies with the Family Educational Rights and Privacy Act (FERPA), the Protection of Pupil Rights Amendment, and the Military Recruiter Provisions of the NCLB Act of 2001: yes/no									
5.c.2: The school complies with applicable state or federal freedom of information requirements: yes/no									
5.c.3: The school complies with applicable student record transfer requirements: yes/no									
5.c.4: The school complies with applicable requirements for the proper and secure maintenance of testing materials: yes/no									
INDICATOR 6: ADDITIONAL OBLIGATIONS									
6.a ADDITIONAL OBLIGATIONS: Is the school complying with all other obligations? The school materially complies with all other material legal, statutory, regulatory, or contractual requirements contained in its charter agreement that are not otherwise explicitly stated herein, including but not limited to requirements									

from the following sources:					
<u>Meets Standard:</u> [number] of the conditions 6.a.1 through 6.a.8, below, are met.					
<u>Approaches Standard:</u> [number] of the conditions 6.a.1 through 6.a.8, below, are met.					
<u>Doesn't Meet Standard:</u> [number] of the conditions 6.a.1 through 6.a.8, below, are met.					
6.a.1: The school and its governing body comply with the terms and conditions of its charter: yes/no	1				
6.a.2: The school complies with NAC 386.342 and NAC 387.770 regarding inventory documentation: yes/no	28				
6.a.3: The school (applicable only to high schools) complies with NRS 386.550(1)(m) and NAC 386.350(10) regarding notification of accreditation status: yes/no	25				
6.a.4: The school complies with NRS 386.550(1)(c) and Section C.2 of its charter school application regarding fees: yes/no	24				
6.a.5: The school complies with requirements regarding maintenance of personnel	21				

records: yes/no									
6.a.6: The school complies with NAC 386.345(2) and NRS 332.800 regarding purchasing and prohibition of board member interest in contracts: yes/no							4		
6.a.7: The school complies with NRS 392.040 regarding age of enrollment in grades K, 1 and 2: yes/no							23		
6.a.8: The school complies with NRS 386.583 regarding adoption of rules for academic retention: yes/no							26		

FINANCIAL PERFORMANCE FRAMEWORK

1. NEAR TERM INDICATORS

1A - Current Ratio (Working Capital Ratio): Current Assets divided by Current Liabilities
<p><i>Meets Standard:</i></p> <p><input type="checkbox"/> Current Ratio is greater than 1.1</p> <p>or</p> <p><input type="checkbox"/> Current Ratio is between 1.0 and 1.1 <i>and</i> one-year trend is positive (current year ratio is higher than last year's)</p> <p>Note: For schools in their first or second year of operation, the current ratio must be greater than 1.1.</p>
<p><i>Does Not Meet Standard:</i></p> <p><input type="checkbox"/> Current Ratio is between 0.9 and 1.1</p> <p>Or</p> <p><input type="checkbox"/> Current Ratio is between 1.0 and 1.1 <i>and</i> one-year trend is negative</p>
<p><i>Falls Far Below Standard:</i></p> <p><input type="checkbox"/> Current ratio is less than 0.9</p>

1B - Unrestricted Days Cash: Unrestricted Cash divided by (Total Expenses/365)
<p><i>Meets Standard:</i></p> <p><input type="checkbox"/> 60 Days or more Cash</p> <p>or</p> <p><input type="checkbox"/> Between 30 and 59 Days Cash <i>and</i> one-year trend is positive</p> <p>Note: Schools in their first or second year of operation must have a minimum of 30 Days Cash.</p>
<p><i>Does Not Meet Standard:</i></p> <p><input type="checkbox"/> Days Cash is between 15 and 29 days</p> <p>Or</p> <p><input type="checkbox"/> Days Cash is between 30 and 59 days <i>and</i> one-year trend is negative</p>
<p><i>Falls Far Below Standard:</i></p> <p><input type="checkbox"/> Less than 15 Days Cash</p>

1C - Enrollment Forecast Accuracy: Actual Enrollment divided by Enrollment Projection in Board-Approved Budget
Meets Standard: <input type="checkbox"/> Enrollment Forecast Accuracy equals or exceeds 95% in the most recent year <i>and</i> equals or exceeds 95% for each of the last three years Note: For schools in their first or second year of operation, Enrollment Forecast Accuracy must be equal to or exceed 95% for each year of operation.
Does Not Meet Standard: <input type="checkbox"/> Enrollment Forecast Accuracy is between 85% and 94% in the most recent year or <input type="checkbox"/> Enrollment Forecast Accuracy is 95% or greater in the most recent year <i>but does not</i> equal or exceed 95% each of the last three years
Falls Far Below Standard: <input type="checkbox"/> Enrollment Forecast Accuracy is less than 85% in the most recent year

1D - Default
Meets Standard: <input type="checkbox"/> School is not in default of any loan covenant and is not delinquent on any debt service payments
Does Not Meet Standard: <input type="checkbox"/> School is in default of any loan covenant or is delinquent on any debt service payment

2. SUSTAINABILITY INDICATORS

2A - Total Margin: Net Income divided by Total Revenue & Aggregated Total Margin: Total 3 Year Net Income divided by Total 3 Year Revenue
<p><i>Meets Standard:</i></p> <p><input type="checkbox"/> Aggregated Three-Year Total Margin is positive <i>and</i> the most recent year Total Margin is positive or <input type="checkbox"/> Aggregated Three-Year Total Margin is greater than -1.5%, the trend is positive for the last two years, <i>and</i> the most recent year Total Margin is positive</p> <p>Note: For schools in their first year of operation, Total Margin must be positive. For schools in their second year of operation, aggregated Two-Year Total Margin must be greater than -1.5% <i>and</i> the most recent year Total Margin must be positive.</p>
<p><i>Does Not Meet Standard:</i></p> <p><input type="checkbox"/> Aggregated Three-Year Total Margin is greater than -1.5%, but trend does not meet standard.</p> <p>Note: "meet standard" means that the trend is positive for the last two years, <i>and</i> the most recent year Total Margin is positive.</p>
<p><i>Falls Far Below Standard:</i></p> <p><input type="checkbox"/> Aggregated Three-Year Total Margin is less than -1.5% or <input type="checkbox"/> Current year Total Margin is less than -10%</p>

2B - Debt to Asset Ratio: Total Liabilities divided by Total Assets
<p><i>Meets Standard:</i></p> <p><input type="checkbox"/> Debt to Asset Ratio is less than or equal to 0.90</p>
<p><i>Does Not Meet Standard:</i></p> <p><input type="checkbox"/> Debt to Asset Ratio is between 0.91 and 1.0</p>
<p><i>Falls Far Below Standard:</i></p> <p><input type="checkbox"/> Debt to Asset Ratio is greater than 1.0</p>

2C - Cash Flow

Meets Standard

☐ Three-year cumulative cash flow is positive, cash flow is positive in at least two of three years, *and* cash flow in the most recent year is positive

Note: For schools in their first or second year of operation, cumulative and current year cash flow must be positive.

Does Not Meet Standard:

☐ Three-year cumulative cash flow is positive, but trend does not meet standard.

Note: "meet standard" means that the trend is positive for the last two years, *and* the most recent year Total Margin is positive.

Falls Far Below Standard:

☐ Three year cumulative cash flow is negative

2D - Debt Service Coverage Ratio:

(Net Income + Depreciation + Interest Expense)/(Principal and Interest Payments)

Meets Standard:

☐ Debt Service Coverage Ratio is equal to or exceeds 1.10

Does Not Meet Standard:

☐ Debt Service Coverage Ratio is less than 1.10

STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

S U B J E C T: Update on progress by Quest Academy's governing body in addressing questions raised by Quest governing board members, parents, auditors, Quest staff, and Authority staff.

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / / </u>	Action

MEETING DATE: January 8, 2013

AGENDA ITEM: 9

NUMBER OF ENCLOSURE(S): 6

PRESENTER(S): Quest Preparatory Academy Governing Board and Steve Canavero, PhD, Director, SPCSA

RECOMMENDATION:

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 30 mins

BACKGROUND: Enclosures

1. December 6, 2012 SPCSA Letter
2. December 17, 2012 Quest Board Agenda
3. December 29, Quest Board Agenda
4. January 7, 2013 Quest Board Agenda
5. SPCSA Recommendation Status List
6. SPCSA/Quest Communication Log

SUBMITTED BY: _____

BRIAN SANDOVAL
Governor

STATE OF NEVADA

STEVE CANAVERO
Director



STATE PUBLIC CHARTER SCHOOL AUTHORITY

1749 North Stewart Street Suite 40
Carson City, Nevada 89706-2543
(775) 687 - 9174 • Fax: (775) 687 - 9113

December 6, 2012

Christina Fuentes, Governing Body President
Quest Academy Preparatory Education (Quest)
402 River Glider Ave.
North Las Vegas NV 89084

Dear Ms. Fuentes:

The State Public Charter School Authority (Authority) has received a letter dated November 26, 2012, including attachments, from you; thank you. The letter and attachments are a response to my November 2, 2012, letter to you.

The Authority also received a November 30, 2012, email and attachments from Kimberly Maxson-Rushton which respond to my November 19, 2012, letter to you.

Authority staff has reviewed the material dated November 26, 2012, and November 30, 2012. The material fails to resolve several of the concerns raised in my letters. Following are statements of fact, conclusions and deficiencies, and recommendations regarding your response to the matters raised in my letters:

Checks written to Connie Jordan, signed by Governing Body (Board) President Christina Fuentes

Facts:

According to the Quest Academy Reconciliation Detail 101, Bank of Nevada, Period Ending 7/31/2011, the following checks were written to Connie Jordan, signed by the board president, and cashed:

- #1438, 6/30/2011, for \$5,000;
- #1443, 6/30/2011, for \$5,000; and
- #1445, 6/30/2011, for \$5,000.

Your November 26, 2012, response states that:

- The \$15,000 provided by the three checks discussed above reflects neither a bonus nor a raise for Ms. Jordan;
- Ms. Jordan elected to withdraw \$5,000 through the school for PERS (Public Employee Retirement System);
- Ms. Jordan was paid \$5,182 of non-utilized PTO (paid time off) by Quest; and
- Ms. Jordan was compensated for extra duty in the amount of \$1,222 (your November 26, 2012, response appears to mistakenly identify Lucretia Glidewell as the recipient of this compensation).

Any bonuses awarded in Fiscal Year 2011 would be governed by the 2010-2011 Connie Jordan employment contract.

Conclusions and Deficiencies:

The Authority does not accept your explanation regarding the purpose and governing body (board) oversight of three \$5,000 checks (check numbers 1438, 1443, and 1445) payable to Connie Jordan:

- a. According to the Nevada Public Employees' Retirement System (PERS), the explanation provided by you in your November 26, 2012 letter of one or more of the checks as the school's PERS contribution to for Ms. Jordan, is without basis.
- b. The 2010-2011 Connie Jordan employment contract does not support the payout of unused PTO (paid time off). It is not until the 2012-2013 contract that payout for unused PTO is provided for.
- c. It is unclear how the \$1,222 of extra duty pay is accounted for by the three checks identified in 1, above.
- d. Furthermore, individually and in total, the check amounts fail to reconcile with the explanations for them provided.

Ms. Jordan's receipt of \$15,000; inadequate accounting of that \$15,000; inaccurate and contradictory explanations of the purpose of this payment; and a lack of sufficiently developed board financial policies demonstrate a lack of governance by the board, a violation of regulation (NAC 386.345) applicable to charter schools; additionally, they may demonstrate a failure to comply with material terms and conditions of the school's charter, cause for revocation of the charter pursuant to NRS 386.535

\$5,000 appears to be the threshold amount for checks that may be signed by one person only. That three \$5,000 checks dated the same day to Connie Jordan were signed by the board president suggests an improper \$15,000 payment to Ms. Jordan; circumvention of board policies; and may represent collusion by Ms. Jordan and the board president.

Recommendations:

Ensure Ms. Jordan returns the \$15,000 provided by the three checks discussed above to the school's general fund.

Ensure the version of the Governing Board Policy Manual or written policies resulting from the March 19, 2012, Quest Board meeting are submitted into AOIS' Permanent Files (See 11.a, from my November 2, 2012, letter to you). Provide the Authority with the location in the Permanent Files

(Handbooks? Policies? Other?) and file name of the document so that it may be easily found in the Permanent Files.

Conduct of Board Meeting in Violation of the Board's Bylaws

Facts:

The Authority has no record of approving the undated "Quest Academy Preparatory Education, Las Vegas, Nevada, Bylaws" submitted with your November 26, 2012, letter.

An August 2, 2012, Quest Board meeting was held in Denver, Colorado.

An email from Kimberly Maxson-Rushton to me was received November 30, 2012; it responds to my November 19, 2012, letter to you. It appears to be a request for amendment of the Quest Board bylaws, but it fails to follow directions stated in the Nevada Charter School Operation Manual (see "Amendment of a Charter") for requesting a charter amendment; for example, no letter signed by you, as the board president, requesting amendment was found among Ms. Rushton's attachments to her email.

Conclusions and Deficiencies:

Unless Quest Academy Preparatory Education (Quest) can provide documentation of Authority or State Board of Education approval of the version of the bylaws submitted with the November 26, 2012 letter, the version of the bylaws enclosed with this letter is the version in effect. Article 4.6 clearly requires meetings to be conducted "in Clark County." Therefore, conducting an August 2, 2012, board meeting in Denver, Colorado was a violation of the bylaws and a violation of terms or conditions of the written charter.

Ms. Rushton's November 30, 2012, email fails to resolve the matter of the meeting conducted in Denver in violation of the board's bylaws. No reference to "Emergency Meetings" (term used in Ms. Rushton's email) is found in the bylaws in effect. Nor does Article 4.9, "Special Meetings," allow for meetings to be conducted outside of Clark County. Conducting an August 2, 2012, board meeting in Denver, Colorado was a violation of the bylaws and a violation of terms or conditions of the written charter.

Recommendations:

Comply with the bylaws currently in effect.

Comply with charter amendment guidance provided by the Authority in the Nevada Charter School Operation Manual, July 2012 edition. Further processing of the bylaw amendment request referred to in Ms. Rushton's message will continue only upon receipt of a signed letter from you and meeting of all other amendment request requirements stated in the Operation Manual.

Because the August 2, 2012, meeting has already been conducted, the bylaws violation is a deficiency which cannot be corrected.

Report and Other Documentation Submission Status

Facts:

Contrary to your statement that AOIS has been updated, it has not been completely updated. Directions provided in the AOIS Reporting Requirements Manual have not been followed. Examples of material that has not been submitted into AOIS Permanent Files follow:

- Facilities Management information for all facilities leased, subleased, rented or otherwise acquired and used by Quest staff, pupils or others associated with Quest has not been provided.
- Board Roster information labeled "Governing Body Membership (2012-2013)" and submitted into AOIS' Permanent Files fails to provide the information requested in the AOIS Reporting Requirements Manual (page 42).
- All contracts related to the property at Deer Springs have not been provided. For example, contracts for Waltz Construction and Jason Klonowski have not been provided.

Conclusions and Deficiencies:

Because the Board Roster fails to provide NRS 386.549 membership category information, it is impossible to ascertain compliance with the statute.

Because of other missing reports or documents, it is impossible to ascertain Quest compliance with a number of other requirements.

The school has failed to provide reports, documents or other information it is required to provide by statute or regulation, a violation of statute or regulation applicable to charter schools.

Recommendations:

Update AOIS completely using the AOIS Reporting Requirements Manual in AOIS as a guide.

Ensure reports, documents and other information submitted into AOIS are complete, accurate, and indicate compliance with all applicable statutes and regulations.

Apparent Alteration of Connie Jordan Employment Contract

Facts:

The 2011-2012 Connie Jordan employment contract submitted in conjunction with the 2011-2012 Annual Performance Audit (APA) differs from the version received with your November 26, 2012 letter:

- Under Section 5, Attendance, of the contract submitted with the APA, the following statement is made "The employee will forgo any remaining PTO days not used by May 31st of the contract year." The version of the contract submitted November 26, 2012, does not contain the quoted language
- Additional discrepancies between the two versions of the contract have been found: The first paragraph of "5. Attendance" in one version refers to "15 personal days...these fifteen [sic] days...the five PTO days." "5. Attendance" in the other version refers to "15 personal days...these five days...the five PTO days."

Conclusions and Deficiencies:

The version of the contract submitted with the APA, rather than the one submitted subsequently in response to allegations of wrongdoing by the Board, would appear more credible, and for that reason is the version the Authority will consider the correct one.

Alteration by the board of the Connie Jordan employment contract in response to Authority concerns is apparent; it represents—at a minimum—a failure by the board to govern the school, a violation of NAC 386.345; it may demonstrate violation of other statutes and regulations applicable to charter schools as well.

Recommendations:

If Ms. Jordan, rather than the board, altered her employment contract, the Authority's expectation is for the board to appropriately discipline Ms. Jordan. To do nothing, which appears to be the board's inclination, demonstrates a failure to govern, a violation of NAC 386.345.

Allegation of Testing Fraud

Facts:

Manipulation by Connie Jordan of AYP test scores has been alleged by Kaide Dodson, Assistant Principal of Quest.

Conclusions and Deficiencies:

The matter of alleged manipulation of AYP test scores raised in item 14.a. of my November 2, 2012 letter will be referred to the Nevada Department of Education (NDE). Both Ms. Dodson's written statement and your November 26, 2012, response will be sent to the NDE. Failure to comply with state testing requirements would be a violation of statute and/or regulation applicable to charter schools.

Recommendations:

Refrain from manipulating test scores; conduct tests and report scores in compliance with NRS 386.550(1) and all other applicable statutes and regulations.

Allegation by Quest's Financial Contractor of Demands by Connie Jordan for Inappropriate Payments

Facts:

Lucretia Glidewell, "Financial Contractor" with Quest, has alleged the "cover up...[of] illegal practices" at Quest.

Conclusions and Deficiencies:

Authority staff awaits a statement from the Las Vegas Metropolitan Police Department regarding what Ms. Glidewell refers to as "extortion" committed by Connie Jordan (Complaint LLV121101001634).

Recommendations:

It is recommended that the board demonstrate appropriate concern regarding Ms. Glidewell's, school staff's, and parents' concerns as have been expressed in a variety of ways to the board. For example, placing Ms. Jordan on administrative leave until the following occurs may be appropriate:

- NDE resolution of Ms. Dodson's test score allegations;
- Resolution of Ms. Glidewell's "extortion" allegations; and
- Anthem Forensics' and the school's "employment investigator's" findings have been received.

Any decision to take such action would be the Quest Board's, not the Authority's.

Engagement of Anthem Forensics and an "employment investigator"

Facts:

According to your November 26, 2012, response, "Anthem Forensics" (Anthem) and an "employment investigator" (investigator) have been engaged by the board to investigate numerous allegations submitted to the board, the Authority, the police and others by Quest contractors, staff, and parents.

Conclusions and Deficiencies:

No detail was provided in your November 26, 2012, response regarding the nature of Anthem's or the investigator's engagement with Quest; neither a scope of work statement nor an assignment timeline were provided in your response. Other than the scant information provided in your response, Authority staff has no knowledge what statements or other material have been provided to Anthem and the investigator, and therefore cannot determine the appropriateness of Anthem and the investigator's involvement with Quest.

Quest contracts with neither Anthem nor an investigator nor Kimberly Maxson-Rushton are found in AOIS, in violation of NAC 386.400 which requires copies of all contracts to be submitted to the sponsor of the school.

Recommendations:

Submit into AOIS copies of all Quest contracts with Anthem, the investigator, and Kimberly Maxson-Rushton; ensure that they comply with NAC 386.400. Ensure the contracts provide thorough scope of work descriptions and, where appropriate, timelines for accomplishment of tasks.

Non-governance of Quest Academy Preparatory Education Public Charter School by its Board

Facts:

The "Governing Body Membership (2012-2013)" board roster found in AOIS lists four members only. Minimum membership per NRS 386.549 is five, and Quests' bylaws require seven members, as discussed in my November 19, 2012, letter to you (copy enclosed). Bylaw guidance provided by the Authority clarifies that "...if a range of [board member] numbers [is identified in the bylaws], the bylaws should specify that to...change the number of members...requires governing body action in an open meeting;"

Conclusions and Deficiencies:

As discussed throughout this letter, the Quest Board appears to be in violation of NAC 386.345 which requires a charter school governing body to “govern the charter school, maintain overall control of the charter school, and [be] responsible for the operation of the charter school...”

Ms. Rushton’s November 30, 2012, response to my November 19, 2012, letter is inadequate, as discussed above (see “Conduct of Board Meeting in Violation of the Board’s Bylaws”).

Quest’s Board membership fails to comply with NRS 386.549, a statute that applies to charter schools.

Quest’s Board membership fails to comply with its own bylaws, a violation of terms and/or conditions of the Quest charter.

Recommendations:

To restore parents’ and the Authority’s confidence in Quest, a radical reconstitution of the board may be necessary; additionally, Connie Jordan may need to be replaced as the school’s administrator. Because Nevada statute provides no opportunity for a charter school sponsor to dismiss the board of a charter school (other than through revocation of the charter), and no opportunity for the sponsor to terminate the employment of a charter school administrator, any decision to take such actions would be the Quest Board’s, not the Authority’s.

Under the guidance of Quest’s counsel, and for the sake of Quest’s pupils, the board may consider transforming itself in an orderly and strategic manner that preserves “what works” at the school while discarding detrimental practices and governance structures that don’t “work.” Authority staff is willing to cooperate with current and future Quest Board members by discussing with them the nature of an orderly transition to a well-functioning board. Among other considerations regarding such a transition are these:

- The Quest administration may need to be replaced.
- Current board members and officers of the board may need to be replaced with qualified and credible persons untainted by Quest’s current circumstances. The school’s parents or the Charter School Association of Nevada may be excellent sources of nominations for new board members.
- The board member who appears to have colluded with Connie Jordan to provide Ms. Jordan with \$15,000 in questionable payments may need to be immediately replaced with a new board member;
- With the departure of the board member who appears to have colluded with Ms. Jordan as discussed above, the board would consist of three members (Mr. Law, Ms. Norwood, and Ms. Moore). The bylaws currently in effect require seven members. Four more members could be added in an open and transparent recruitment, nomination and election process involving all Quest stakeholders, especially parents of enrolled pupils. At least five of the seven board members would need to meet the membership requirements of NRS 386.549.
- The reconstituted board that complies with the membership requirements of NRS 386.549 and embodies national standards for effective charter school governance could request of the school’s sponsor amendment of its bylaws to ensure the bylaws conform to national best practices for charter school governance. In addition to effective, exemplary bylaws, the board would be encouraged to establish finance and governance policies and practices that conform to national best practices.

The alternative to taking prudent action and the alternative to resolution of all concerns identified in this letter may be initiation by the Authority of revocation proceedings against Quest; such initiation would include the delivery to the Quest Board of a NRS 386.535(2) written notice of the Authority's intention to revoke the Quest charter.

Thank you for your attention to these matters. I look forward to timely receipt of evidence of Quest Board action toward resolution of the very serious concerns and allegations raised in this and other recent communications with Quest. Again, Authority staff is eager to assist Quest's pupils and parents attain the stable, harmonious, well-functioning school they seek.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Canavero', followed by a long horizontal line.

Steve Canavero, Director
State Public Charter School Authority

Copy: Vernon Law
Berta Norwood
Beverly Moore
Connie Jordan
Kadie Dodson
Lucretia Glidewell

Enclosures: Quest Board Bylaws
November 19, 2012, letter from Steve Canavero to Christina Fuentes

Bylaws

The Clark Nevada Charter School Governing Body

ARTICLE 1 Office

1. Office. The office of the Clark Nevada Charter School Governing Board shall be located within the State of Nevada, in such offices as the Board of Directors may designate or as the business of the board may require from time to time.

ARTICLE 2 PURPOSE

2. Purpose. The purpose of the Board is to provide direction for the school through the promulgation of policy and oversight to ensure that policy measures are effectively implemented and efficiently carried out.
- 2.1 Non-Discrimination. The Board shall be non-religious and shall accept students and hire staff without discrimination as to race, color, religion, national origin, sex, marital status, sexual orientation, educational affiliation, handicap status, age, and shall comply with all applicable laws and regulations relating thereto.

ARTICLE 3 MEMBERS

- 3.1 Members. The members of this governing body shall be the persons who have been approved for such membership by the officers/directors of the board. Membership in this governing body shall not vest in any member any proprietary rights in this charter school. The members of this corporation shall be the persons who have met the criteria set forth in these Bylaws for membership and who have been approved for such membership by the Board. Membership in this corporation shall not vest in any member any proprietary rights in this corporation but shall only entitle the member to vote for the election of individuals to the Board. Members shall have no other voting rights in this corporation. Membership shall not be assignable by any member.

ARTICLE 4 DIRECTORS

- 4.1 General Powers and Duties. The Board of Directors (the "Board") of the Clark Nevada Charter School shall manage the affairs of the Academy, including but not limited to policy decisions, and all the powers of the Academy shall be vested in the Board.
- 4.2 Specific Powers. The Board will develop and provide oversight of the annual budget; monitor the effectiveness of the school throughout the year via frequent reports provided by academic assessments; and oversee the activities of the administrator, parent committees and educational management company.
- 4.3 Number, Election and Term of Directors.
- (a) Number. The Board of Directors shall consist initially of seven (7) directors. That number may be increased or decreased from time to time by action of the Board, so long as the Board shall consist of no fewer than three (3), and no more than nine (9) directors, or such other minimum number as may be authorized by statute. No decrease in number may have the effect of shortening the term of any incumbent director.
 - (b) Election. Each individual shall be elected as a director by a majority vote of the existing directors. This includes the filling of vacancies.
 - (c) Term. Each director shall serve for a period of three years and until his or her successor is chosen and qualified. Directors may be elected for successive terms.

The term of a director filling a vacancy expires at the end of the unexpired term which such director is filling; however, absent an earlier death, resignation or removal, the director continues to serve until a successor is elected, designated or appointed and qualifies, or until there is a decrease in the number of directors.

4.4 Resignation and Removal.

- (a) Resignation of Directors. A director may resign at any time by delivering written notice to the Board. Such resignation is effective when such notice is delivered unless such notice specifies a later effective date.
- (b) Removal of Elected Directors. The Board may remove a director elected by the Board for cause if the number of votes cast to remove the director constitutes a majority of the directors then in office. The Board may remove a director elected by the Board without cause if the number of votes cast to remove the director constitutes three-fourths (3/4) of the directors then in office. For purposes of the section, "Cause" shall include gross negligence in the performance of his/her duties, intentional nonperformance or nonperformance of such duties, willful dishonesty, fraud, or misconduct with respect to the business or affairs of the Board, conviction of a felony or a crime involving moral turpitude.
- (c) Notice. Any Board action to remove a director shall not be valid unless each director is given at least seven (7) days written notice that the matter will be voted upon at a directors' meeting.

4.5 Vacancies. Vacancies on the Board shall be filled by a majority vote of the Board, following a recommendation and screening of the recommended replacement.

4.6 Place of Meetings. Meetings of the Board shall be **in Clark County** at such time and at such place as shall from time to time be determined by the Board.

4.7 Regular Meetings. The initial meeting of the Board (the Organizational Meeting) shall be held at least thirty (30) days prior to the opening of the charter school, and written notice of the Organization Meeting shall be posted in four (4) different locations within three hundred feet of the proposed meeting site. Thereafter, regular meetings of the Board shall be held at least quarterly, and upon **three (3) days** written and posted notice at such time and at such place as shall from time to time be determined by the Board.

Participation in Meetings by Conference Telephone.

Members of the Board may participate in a meeting through use of conference telephone, electronic video screen communication or other communications equipment, so long as all of the following apply:

(a) Each member participating in the meeting can communicate with all of the other members concurrently.

(b) Each member is provided the means of participating in all matters before the Board, including the capacity to propose, or to interpose an objection, to a specific action to be taken by this corporation.

- 4.8 Annual Meetings. The Board of Directors shall meet at least annually to elect officers.
- 4.9 Special Meetings. Special meetings of the Board of Directors may be called by the President or any two (2) directors. Special meetings must be preceded by at least two (2) days notice of the date, time and place of the meeting.
- 4.10 Retirements Applicable To Meetings. This item does not apply.
- 4.11 Quorum and Voting. At all meetings of the Board, a majority of the total number of directors then on the Board shall be necessary and sufficient to constitute a quorum for the transaction of business, and the act of a majority of the directors present at any meeting at which there is a quorum shall be the act of the Board, except as may be otherwise specifically provided by statute, by these Bylaws.
- 4.12 Waiver of Notice. Notwithstanding anything in these Bylaws or elsewhere contained herein, notice of any meeting of the Board may be waived by any member of the Board. The transactions at any meeting of the Board, however called and noticed, and wherever held, shall be as valid as though taken at a meeting duly held after regular call and notice, if a quorum be present, and if either before or after the meeting each member of the Board not present signs a written waiver of notice or consent to the holding of such meeting or an approval of the minutes thereof. All such waivers, consents or approvals shall be filed with the board records or made a part of the minutes of the meeting.
- 4.13 Adjourned Meetings. Notice of an adjourned meeting need not be given if the time and place to which the meeting is adjourned are fixed at the meeting at which the adjournment is taken, and if the period of adjournment does not exceed one (1) month in any one (1) adjournment.
- 4.14 **Rights of Inspection.** Every member of the governing body shall have the absolute right at any reasonable time to inspect all books, records and documents of every kind and to inspect the physical properties of this charter school.
- 4.15 Fees and Compensation. Directors, and any member of any Committee of the Board, shall not be entitled to compensation for their services.
- 4.16 **Restriction Of Interested To Directors.** Does not apply.

- 4.17 **Standard Of Care.** Each director shall perform all duties of a director, including duties on any Board committee, in good faith and with that degree of diligence, care and skill, including reasonable inquiry, as an ordinary prudent person in a like position would use under similar circumstances.

ARTICLE 5 OFFICERS

- 5.1 Number. The officers of the Board may consist of a President, Secretary, and such other officers as may be from time to time appointed by the Board.
- 5.2 Election. The principal officers shall be elected annually by the Board. Each officer shall serve at the pleasure of the Board and until his or her successor shall have been appointed, or until his or her death, resignation or removal. The President must be a member of the Board.
- 5.3 Subordinate Officers. The Board shall have no subordinate officers.
- 5.4 Removal. The Board may remove any officer at any time with or without cause, by an affirmative vote of a majority of the entire Board.
- 5.5 Resignation. An officer may resign at any time by delivering written notice to the Board. Such resignation is effective when such notice is delivered unless such notice specifies a later effective date.
- 5.6 Vacancies. Any vacancy in an office from any cause may be filled by the Board for the unexpired portion of the term.
- 5.7 President. The President of the Board shall be the chief executive officer of the body and preside at all meetings of the Board as chair of the Board. Subject to the direction of the Board, the President shall have general charge and authority over the business of the Board and shall perform such other duties as may be prescribed in these Bylaws or assigned to the President by the Board.
- 5.8 Vice President and other Officers. Other officers appointed by the Board shall exercise such powers and perform such duties as may be delegated to them.
- 5.9 Secretary. The Secretary shall be the official Contact Officer, who will be responsible generally for the drafting of all Governing Body correspondence and literature at the direction of the Board. He/She shall cause, or cause to be given, notice of all meetings of the Board. Notification of meetings to Board members may be executed by telephone by the Secretary. All correspondence received by the Secretary must be presented at the next applicable meeting. The Secretary will take the minutes of each meeting and will present them at the subsequent meeting at the direction of the Board. The Secretary shall

have the responsibility of authenticating records of the Board. The Secretary shall perform such other duties as may be prescribed by the Board from time to time.

(5.9)

Chief Financial Officer (Treasurer)

The Treasurer shall be responsible for the safe custody of all governing body financial books and records and must release no information from these books and records excepted as authorized by the Board as required by statute.

The Treasurer shall ensure that state funds are deposited in a Nevada financial institution for the purpose of handling Clark Nevada Charter School business.

He/She shall be one of the officers who will sign checks or drafts of the governing body. He/She shall render at stated periods as the Board of Directors shall determine a written account of the finances of the charter school and such report shall be physically affixed to the minutes of the Board of Directors of such meeting.

ARTICLE 6 COMMITTEES

- 6.1 Board Committees. The Board may create one (1) or more committees, each consisting of at least one (1) director, by resolution adopted by a majority of the entire Board. The Board may select individuals who are not members of the Board to assist in achieving the committee's objectives and purposes. All members of committees of the Board which exercise powers of the Board must be directors and serve on such committees at the pleasure of the Board. Unless otherwise provided in the resolution, to the extent specified by the Board, each committee may exercise the authority of the Board within the stated scope of the Committee's authority.
- 6.2 Meetings and Actions Aboard Committees. All such committees and the directors appointed thereto shall be governed by the same requirements set forth in these Bylaws regarding meetings, action without meetings, notice and waiver of notice, quorum and voting requirements as are applicable to the Board and directors generally.
- 6.3 Executive Board (Executive Committee). The Executive Committee shall consist of the officers of the board as defined by these Bylaws. The Executive Committee shall administer or cause to be administered the ordinary and necessary business of the charter school, and shall be responsible for such duties as required or empowered by the governing body. The Executive Committee shall also cause to be recorded, and all members of the governing body kept promptly and fully informed of, all actions taken by it.
- 6.4 Other Committees. Ad-Hoc committees may be formed and/or dissolved by a majority vote of the governing body. Upon formation, the board will state the purpose for such committee and define such committee guidelines as the governing body deems necessary. Ad-hoc committee chairs and vice chairs shall be appointed by the board of directors.

ARTICLE 7 SELF DEALING TRANSACTIONS

- 7.1 Definition. The Board of Directors shall not approve, or permit the board to engage in any self-dealing transaction. A self-dealing transaction is a transaction to which this board is a party and in which one or more of its directors has a material financial interest.
- 7.2 Action of the Board. Where a director has actual knowledge of a material financial or professional interest in a "proposed" self-dealing transaction or action of the board, the director must make a full and fair disclosure of the nature and extent of his or her financial

interest prior to participating in a discussion, vote or other action regarding the transaction or action of the board.

- 7.3 **Interested Director's Vote.** Any director with an interest in any action before the board must inform the board of such interest and refrain from voting on the action.
- 7.4 **Committee Approval.** No committee of this Governing Body is allowed to transact business on behalf of the board without the express permission, direction and approval of the board.
- 7.5 **Persons Liable and Extent of Liability.** No Director or officer of the Governing Body shall be liable for the acts, receipts, neglects or defaults by any other director or officer or employee, or committee member for joining in any act of conformity, or for any loss, damage or expense happening to the charter school.
- 7.6 **Statute of Limitations.** The Governing Body will follow Nevada law in regard to the statute of limitations on any transaction performed on behalf of the board.
- 7.7 **Corporate Loans and Advances.** This does not apply to this governing body because it is not a corporation.

ARTICLE 8 OTHER PROVISIONS

- 8.1.1 **Validity of Instrument.** Subject to the provisions of applicable law, any note, mortgage, evidence of indebtedness, contract, conveyance, or other instrument in writing and any assignment or endorsement thereof, executed or entered into between this board and any other person, when signed by any one of the Chairperson of the Board, and by the Secretary, the Treasurer/Chief Financial Officer of this board is not invalidated as tot his board by any lack of authority of the signing officers in the absence of actual knowledge on the part of the other person that the signing officers had no authority to execute the same.
- 8.2 **Construction and Definitions.** Unless the context otherwise requires, the general provisions, rules of construction, and definitions contained in the Nevada Revised Statutes shall govern the construction of these Bylaws. The captions and headings of these Bylaws are for reference and convenience only and are not intended to limit or define the scope or effect of any provision.
- 8.3 **Authority To Vote Securities.** This does not apply to this governing body.
- 8.4 **Fiscal Year.** The fiscal year begins July 1 of each year and ends on June 30.

- 8.5 **Conflict of Interest.** In connection with any actual or possible conflicts of interest, an interested person must disclose the existence of his or her financial or organizational interest, and all material facts, to the directors and members of committees with board delegated powers considering the proposed transaction or arrangement.
- 8.6 **Interpretation Of Charter.** Whenever any provision of the Bylaws is in conflict with the provisions of the Charter, the provisions of the Charter shall control.

ARTICLE 9 INDEMNIFICATION

- 9.1 **Definitions.** The Board shall indemnify, and advance expenses to any person who incurs liability or expense by reason of such person acting as a director or officer of the Board. This indemnification with respect to directors and officers shall be mandatory.
- 9.2 **Indemnification of Agents.** In addition, the Board may, in its sole discretion, indemnify, and advance expenses to any person who incurs liability or expense by reason of such person acting as an employee or agent of the Board, except where indemnification is mandatory pursuant to Nevada law, in which case the Board shall indemnify to the fullest extent required by law.
- 9.3 **Purchase of Liability Insurance.** The Board will maintain insurance, at its expense, to protect itself and any individual who is or was a director, officer, employee or agent of the Board, or who, while a director, officer, employee or agent of the Board, was serving at the request of the Board or its President, whether or not the Board would have the power to indemnify such person against such expense, liability or loss under this Section.
- 9.4 **Nonapplicability To Fiduciaries Of Employee.** This Article does not apply to any proceeding against any governing body member or other fiduciary of an employee benefit plan in such person's capacity as such, even though such person may also be an agent of this corporation as defined in Section 1 of this Article. This governing body shall have power to indemnify such governing body member to the extent permitted by law.

ARTICLE 10.
AMENDMENT TO BYLAWS

- 10.1 Amendment Of Bylaws. Upon approval by the Nevada Department of Education, these Bylaws may be altered, amended, repealed, or restated by a vote of a majority of the entire Board at the time the amendment is adopted at any regular or special meeting.

BRIAN SANDOVAL
Governor

STATE OF NEVADA

STEVE CANAVERO
Director



STATE PUBLIC CHARTER SCHOOL AUTHORITY

1749 North Stewart Street Suite 40
Carson City, Nevada 89706-2543
(775) 687 - 9174 • Fax: (775) 687 - 9113

November 19, 2012

Christina Fuentes, Governing Body President
Quest Academy Preparatory Education
402 River Glider Ave.
North Las Vegas NV 89084

Ms. Fuentes:

It has come to the attention of the State Public Charter School Authority (Authority) that the governing body (board) of Quest Academy Preparatory Education (Quest) recently removed a member, Marc Abelman. The board now appears to consist of the following four members: Christina Fuentes, Vernon Law, Berta Norwood, and Beverly Moore.

Quest's board bylaws require seven directors; "That number may be increased or decreased from time to time by action of the Board." Unless the board can produce evidence of action in an open meeting decreasing the number of members from seven to five, **the board appears to have been out of compliance with its bylaws.** A copy of the bylaws is enclosed; unless the board can produce evidence of approval by the State Board of Education or Authority of amendment of the bylaws, the enclosed is the version in effect.

Additionally, because the board now consists of four members, **it appears to be out of compliance with NRS 386.549** which requires at least five board members fulfilling specific membership categories. Those membership categories are educator (two required positions), parent of a pupil enrolled in the school, and person with knowledge and experience in accounting, financial services, law or human resources (two required positions). Guidance provided in the July 2012 Nevada Charter School Operation Manual available at <http://charterschools.nv.gov> (see Committee to Form a Charter School and Governing Body) clarifies the requirements of NRS 386.549.

Because the Board Information provided by Quest in AOIS' permanent files is incomplete, (missing are member affidavits, resumes, license numbers where applicable, and certain roster information) **it's impossible to determine whether the board membership includes the required representation.** Thorough guidance addressing AOIS Board Information requirements can be found in the Reporting Requirements Manual found in AOIS.

Be advised that, *until the Quest board is reconstituted in a way that brings it into compliance* with NRS 386.549, applicable regulation, and the Quest Board's bylaws, the Authority would consider any future Quest Board action invalid. In other words, **the only action the Quest Board may take until its membership complies with applicable requirements is action to add members that will bring it into compliance.**

Quest's Board also appears to have violated its bylaws (and thus violated terms or conditions of its charter) **by conducting an August 2, 2012, meeting in Denver, Colorado.** Article 4.6 of the board's bylaws (se enclosed) requires meetings to be conducted in Clark County.

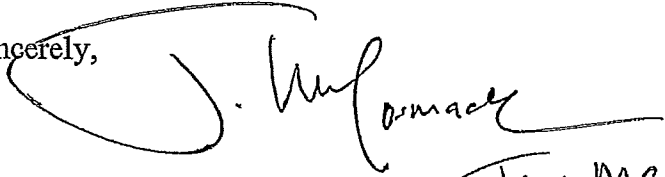
In summary:

- Ensure no action is taken by the board, except as described above, before it complies with all membership requirements.
- Provide all information required by "Board Information" in AOIS' Permanent Files **by 5:00PM, November 30, 2012.** See page 41-43 and 46-47 of the Reporting Requirements Manual in AOIS.
- Provide the dates of the board meetings (or the agendas and minutes of those meetings) at which the board "increased or decreased from time to time" the number of members from the original seven members **by 5:00PM, November 30, 2012.**
- The board has violated terms and/or conditions of its charter, cause for charter revocation pursuant to NRS 386.535, by conducting a meeting outside of Clark County, a violation of the board's bylaws. Because this represents non-retractable past behavior, there is no correcting this deficiency.

Please respond to the above requests by the time and date indicated. Feel free to contact me or my staff with any questions. Thank you.

Sincerely,

Steve Canavero, PhD
Director, State Public Charter School Authority


Tom McCormack for Steve Canavero
11/19/12

Copy: Vernon Law
Berta Norwood
Beverly Moore
Connie Jordan

**NOTICE OF PUBLIC MEETING
OF
QUEST ACADEMY PREPARATORY EDUCATION**

The Governing Body of **Quest Academy Preparatory Education** will have a meeting on Monday, December 17, 2012 6pm at 6610 Grand Montecito Parkway, Las Vegas, NV 89149.

Below is an agenda of all items scheduled to be considered. Unless otherwise stated, items may be taken out of the order presented on the agenda at the discretion of the chairperson.

Reasonable efforts will be made to accommodate physically handicapped persons desiring to attend the meeting. Please contact Quest's Office at (702) 631-4751 in advance so arrangements can be made.

Public comment may be limited to three minutes per person at the discretion of the chairperson.

1. Call to order
2. Pledge of Allegiance/Roll Call
3. Public Comments and Discussion - Members of the public are invited to comment on any items on the agenda below. No action will be taken on any items during the public comment period, but may be taken at the appropriate point in the agenda meeting.
4. Governing Board Member Applicant Presentation – *for possible action*
 - A. Gregory S. Barber
 - B. Klaus Becker
 - C. David Brown
 - D. Julie Carlson
 - E. Michael Coldren
 - F. Y. Mahina Gago
 - G. Spencer Gunnerson
 - H. Tara N Jacquet
 - I. Linda Kuhn
 - J. Kelli Miller
 - K. Cami Rose
 - L. Michelle Shaffner
 - M. Michael Sheehy
5. Applicant Presentation - *for possible action*
6. Selection of Board Member - *for possible action*
7. Public Comments
8. Adjournment

This notice and agenda has been posted on or before 9am on the third working day before the meeting at the following locations:

1. Centennial Hills Library, 6711 N. Buffalo Dr., Las Vegas, NV 89131
2. YMCA, 6601 N. Buffalo Dr., Las Vegas, NV 89131
3. YMCA, 4141 Meadows Lane, Las Vegas, NV 89107

* In Accordance with Section 241.020(2)(c)(2) of the Nevada Revised Statutes, all of the agenda items are subject to action and disposition by the Quest Academy Preparatory Education governing board, unless the agenda item specifically indicates otherwise. To promote efficiency and as an accommodation to the parties involved, agenda items may be taken out of order.

**NOTICE OF EMERGENCY MEETING
OF
QUEST ACADEMY PREPARATORY EDUCATION**

The Governing Body of Quest Academy Preparatory Education will have an emergency meeting on Saturday, December 29, 2012; 9am at 6610 Grand Montecito Parkway, Las Vegas, Nevada 89149.

Due to the receipt today (December 28, 2012) of a proposed amendment to the Purchase and Sales Agreement (to purchase land located at the SWC of W. Deer Springs Way and North Grand Canyon Drive in the City of Las Vegas, NV 89149 within the boundaries of Clark County, Nevada; also known as Clark County Assessor Parcel # 125-19-301-007 & 008) immediate consideration and action is required of the Governing Board. Specifically, the amendment authorizes multiple extensions of the closing date and requires the release of the (second deposit) funds in escrow as well as an additional payment of twenty-five thousand dollars, (\$25,000) per extension, said offer to expire on December 31, 2012. As a result, the Facilities Committee recommends that the Governing Board convene an emergency meeting in order to discuss and decide whether to make the additional payment and whether to consider submitting a written request to extend the lease with SchoolHouse Financing.

Below is an agenda of all items scheduled to be considered. Unless otherwise stated, items may be taken out of the order presented on the agenda at the discretion of the chairperson.

Reasonable efforts will be made to accommodate physically handicapped persons desiring to attend the meeting. Please contact Quest's Office at (702) 631-4751 in advance so arrangements can be made.

Public comment may be limited to three minutes per person at the discretion of the chairperson.

1. Call to order
2. Pledge of Allegiance/Roll Call
3. Public Comments and Discussion - Members of the public are invited to comment on any items on the agenda below. No action will be taken on any items during the public comment period, but may be taken at the appropriate point in the agenda meeting.
4. Consideration of seller's proposed amendment to the Purchase and Sales Agreement relating to the new school site – *for discussion and action*
5. Consideration of whether school should seek an extension of the lease for the Grand Montecito campus – *for discussion and action*
6. Public Comments and Discussion
7. Adjournment

* In Accordance with Section 241.020(2)(c)(2) of the Nevada Revised Statutes, all of the agenda items are subject to action and disposition by the Quest Academy Preparatory Education governing board, unless the agenda item specifically indicates otherwise. To promote

efficiency and as an accommodation to the parties involved, agenda items may be taken out of order.

**NOTICE OF PUBLIC MEETING
OF
QUEST ACADEMY PREPARATORY EDUCATION**

The Governing Body of **Quest Academy Preparatory Education** will have a meeting on Monday, January 7, 2013 at 6pm at 6610 Grand Montecito Parkway, Las Vegas, NV 89149.

Below is an agenda of all items scheduled to be considered. Unless otherwise stated, items may be taken out of the order presented on the agenda at the discretion of the chairperson.

Reasonable efforts will be made to accommodate physically handicapped persons desiring to attend the meeting. Please contact Quest's Office at (702) 631-4751 in advance so arrangements can be made.

Public comment may be limited to three minutes per person at the discretion of the chairperson.

1. Call to order
2. Pledge of Allegiance/Roll Call
3. Approval of Minutes (October 22, 2012, November 14, 2012 and December 17, 2012) – **for discussion and possible action**
4. Public Comments and Discussion - Members of the public are invited to comment on any items on the agenda below. No action will be taken on any items during the public comment period, but may be taken at the appropriate point in the agenda meeting.
5. Update on status of new school and possible contingency plan – **for discussion and possible action**
6. Report from Independent Investigators on status of investigations (personnel and financial) and timeline for completion – **for discussion and possible action**
7. Update on Response to the SPCSA's December 6, 2012 letter – **for discussion and possible action.**
 - a. Ensure all required documents have been included in AOIS' Permanent Files
 - b. Update on status of Bylaws and potential need to amend the same
 - c. Status of NDE resolution of Ms. Dodson's test score allegations
8. Board consideration of whether to hold a **Closed Session** pursuant to NRS 241.030(1)(a) to consider the character, alleged misconduct, and/or professional competence of Principal Connie Jordan, an employee of the Governing Board – **discussion only.**
9. The Governing Board may take administrative action against Principal Connie Jordan – said action may include employment termination, suspension, reprimand or no action – **for discussion and possible action.**
10. Status of Independent Audit – **for discussion and possible action**
11. New Board Members and Officers – **for discussion and possible action**
12. Development and Selection of Board Sub-Committees – **for discussion and possible action**
13. Principal's Report
14. Adjournment

This notice and agenda has been posted on or before 9am on the third working day before the meeting at the following locations:

1. Centennial Hills Library, 6711 N. Buffalo Dr., Las Vegas, NV 89131
2. YMCA, 6601 N. Buffalo Dr., Las Vegas, NV 89131
3. YMCA, 4141 Meadows Lane, Las Vegas, NV 89107

* In Accordance with Section 241.020(2)(c)(2) of the Nevada Revised Statutes, all of the agenda items are subject to action and disposition by the Quest Academy Preparatory Education governing board, unless the agenda item specifically indicates otherwise. To promote efficiency and as an accommodation to the parties involved, agenda items may be taken out of order.

<u>Recommendation (Dec 6 letter from Authority to Quest)</u>	<u>Status as of 12/31/2012</u>
Ensure the return of the \$15,000	No known action by Quest Board
Update Governing Board Policy Manual or written policies	Policy Manual in AOIS is from December 2012. Annual Performance Audit had similar finding (see attached)
Comply with existing bylaws	
Comply with charter amendment guidance – to amend bylaws.	Awaiting documents to process a request.
Update AOIS completely: Ensure all information submitted into AOIS is complete/accurate/on time.	Quest is one of two “red” schools. Red indicates numerous reporting issues.
Altered contracts: appropriate discipline	No known action by Quest Board
Assessment scores and alleged manipulation	No known response by NDE or request of Quest by NDE.
Alleged Inappropriate Payments by contractor, demonstrate appropriate concern.	Anthem Forensic – according to KMR receipt should be 12/21 “employment investigator” – according to KMR receipt should be 12/26 Neither the contracts nor the reports are submitted to AOIS.
Submit to AOIS Anthem and “investigator” contracts	Contracts not submitted
Quest Board transformation	Three members added (12/12); one member resigned (1/13)
Establishing governance policies and practices that conform to national best practices	No known action
NAC 387.775 - independent audit submitted to sponsor and LCB no later than November 30. Deadline extended to Dec 28.	No known action

Date received	From	Quest participants	SPCSA participants	Communication method	Comments
1/3/2013		Robin Vitiello	Brian Flanner, Allyson Kellogg	Phone conference	Quest now has confirmed third party involvement. Quest is no longer party to the property purchase.
12/21/2012		Kimberly Maxton-Rushton, Vernon Law, Spencer Gunnison, Jason Klonoski, Terry Warren, Connie Jordan, Robin Vitiello, Marivelle Nunez	Brian Flanner, Allyson Kellogg	Phone conference	Property purchase call wherein discussion revolved around the third-party venture.
11/16/2012		Connie Jordan, Robin Vitiello	Brian Flanner, Allyson Kellogg	Phone conference	Discussed potential third-party involvement, contingency plan and requested that the delayed Independent Audit be sent to our office immediately upon receipt
11/7/2012	Allyson Kellogg	Christina Fuentes, Connie Jordan, Vernon Law, Marc Abelman, Berta Norwood, Beverly Moore	Steve Canavero, Kathleen Conaboy	email	SPCSA letter dated 11/6/12 to Christina Fuentes re: lack of information for property purchase from previous letter. This letter states that there is no approval by SPCSA
11/2/2012	Robin Vitiello	Connie Jorda, Vernon Law	Steve Canavero, Allyson Kellogg	email	Quest submitted Future site blue prints that were approved by City Planning Commission
11/1/2011	Robin Vitiello	Connie Jordan	Steve Canavero, Allyson Kellogg	email	Quest letter response to 11/1 email
11/1/2012	Allyson Kellogg	Christina Fuentes, Vernon Law, Robin Vitiello, Connie Jordan	Steve Canavero, Thomas McCormack, Brian Flanner	email	SPCSA letter dated 10/31 requesting further explanation
10/29/2012	Robin Vitiello	Christina Fuentes, Vernon Law, Connie Jordan	Steve Canavero, Allyson Kellogg	email	Quest letter from Christina (unsigned) w/ response to 10/24 letter
10/24/2012	Allyson Kellogg	Christina Fuentes, Connie Jordan	Steve Canavero, Thomas McCormack, Brian Flanner	email	SPCSA letter to Christina Fuentes requesting further clarification and example for response provided
10/19/2012	Christina via Robin	Connie Jordan, Kimberly Maxton-Rushton, Jason Klonoski	Steve Canavero, Allyson Kellogg	email	Quest letter dated 10/17 but emailed 10/19 @ 6:24 a.m. from Christina (unsigned) w/ response to 10/16 letter
10/18-10/19					SPCSA Board Meeting
10/16/2012	Allyson Kellogg	Christina Fuentes, Connie Jordan, Robin Vitiello	Steve Canavero, Thomas McCormack, Brian Flanner	email	SPCSA letter to Christina Fuentes re: request for additional information on property purchase.
10/15/2012	Robin	Christina Fuentes, Connie Jordan	Allyson Kellogg, Steve Canavero	email	Quest response to SPCSA 10/12 letter
10/12/2012	Allyson Kellogg	Christina Fuentes, Connie Jordan	Steve Canavero	email	First SPCSA letter requesting additional information
10/11/2012	Robin		Steve Canavero	email	Timeline and supporting docs received
8/31/2012	Steve Canavero	Christina Fuentes, Connie Jordan	Shane Chesney, Steve Canavero, Kathleen Conaboy	email	SPCSA letter to Christina advising Quest to put informational packet together for staff review and ultimately review of SPCSA Board at 10/18-19 mtg
8/23/2012	Kimberly Maxton-Rushton	Christina Fuentes, Connie Jordan	Steve Canavero	email	Sent copy of Purchase and Sale Agreement and Tenants in Common Agreement - SPCSA made aware at this time of the purchase.

STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

S U B J E C T: Direction to Authority staff to make a recommendation to the Authority board about next steps and deadlines by which further progress must be made by the Quest Academy board. This item shall include a discussion of possible consequences for failure to make and document progress

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: January 8, 2013

AGENDA ITEM: 10

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Kathleen Conaboy, Chair, SPCSA

RECOMMENDATION:

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 30 mins

BACKGROUND:

SUBMITTED BY: _____

STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

S U B J E C T: Consideration regarding the
Application Review Team's recommendation of
Leadership Academy of Nevada's charter school
application

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: January 8, 2013

AGENDA ITEM: 11

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Steve Canavero, PhD, Director, SPCSA

RECOMMENDATION: Approval of Subsection 7 Charter

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 10 mins

BACKGROUND:

SUBMITTED BY: _____

Leadership Academy of Nevada

Resubmission

Recommendation

Overall Recommendation

- ~~• Deny: The Committee is encouraged to revise and resubmit the application within the 30-day NRS 386.525 resubmission window. The deficiencies in the application preclude a Subsection 7 approval at this time, but could be corrected in a manner that does not fundamentally alter the school's proposed program. If corrected to the satisfaction of SPCSA staff and resubmitted pursuant to NRS 386.525, staff would recommend approval of a Subsection 7 Charter.~~
- Approve: Subsection 7 Charter

Summary of Section Ratings

Rating options for each section are Meets the standard; Approaches the standard; Does not meet the standard

Section 1. Education Program Design

- Approaches the standard

Section 2. Operations Plan

- ~~Does not meet~~ Meets the standard

Section 3. Financial Plan

- ~~Approaches~~ Meets the standard

Section 4. Performance Record

- ~~Does not meet the standard~~ N/A

Section 5. Evidence of Capacity

- Approaches the standard

Education Program Design

Analysis

The Education Program only partially met criteria for approval due to a number of concerns, some of which are discussed below.

The Committee, in the application and Capacity Interview, was not able to demonstrate a complete understanding of the school's legal obligations in meeting the needs of special student populations (e.g., English Language Learners, Special Education). The Committee indicated that they plan to hire a special education teacher who is more familiar with Nevada law and regulation. The application appeared to commit the school to offering a full continuum of services to special needs students yet the complete plan (operation and financial) do not support this assertion. Additionally, the applicants' description of the ELL program did not provide sufficient detail to demonstrate a depth of understanding of the required program for qualified students (e.g., use of Rosetta Stone). The budget does not appear to align in supporting specific positions and required programs described in the Education Program to serve special populations.

The professional development framework included strategies related to communication (the Huddle), progress/communication (the Syncro) and attending conferences. There was a clear commitment to continuous improvement. ~~However, the framework did not present a comprehensive and coordinated plan. For example, there appeared to be no systematic training on the Classical curriculum and no specific training for teachers to be proficient using the backbone technology of the school (i.e., LMS, Blackboard). It was not evident that the Committee used the emerging research in effective instruction and professional development for online/blended programs to inform key aspects of the plan.~~

The Committee provided a strong foundation and argument that underpinned their Socratic method approach and there was alignment among the mission, educational philosophy and curriculum.

Technical Revisions

A.2 School Specific Goals and Objectives:

~~Goal 1 should be more explicit as to the tool for measurement;~~

~~Goal 2 AMOs are different for grades 6-8 and 9-12. The Committee to Form may want to take this into consideration when formulating academic goals. They may also want to take in to consideration that the 2015-2016 AMOs cited in the NV ESEA waiver are higher than 75%;~~

~~Goal 3 seems unrealistic—only 25% of the students nationwide meet all four bench marks in the ACT in 2011; and~~

~~Goal 4—Clarification on how the school would mandate ACT/SAT participation at the 12th grade and how the school would obtain the statistics from those tests is needed.~~

A.4 Assessment and Accountability:

~~The school needs to carefully and thoughtfully reconsider their assessment plan. As a distance education school, the school would need to take into consideration that testing would need to be conducted in several, often remote, parts of the state.~~

A.5 Calendar:

153 day calendar—Clarify the alternative schedule attachment A.5.3? An alternative schedule application would need to be submitted to the State Superintendent - A brief conversation with the Nevada Department of Education called into question whether they would approve such a calendar. The Committee may wish to reconsider their calendar. **[The calendar was revised to 170 days. The resubmission application indicates that NDE has given tentative approval for this calendar.]**

A.6 School Climate and Discipline:

[Attachment A.6.5, under “Non-compliance procedures”, #2-3, has different procedures for truancy than stated in Attachment A.6.4, under “Third Confirmed Truancy” and “Habitual Truant”. Please align the procedure so they are consistent.]

~~A.6.2, P. 23 and elsewhere: Suspension and/or expulsion may be only for reasons identified in statute.~~

~~Element #6, page 24—No explanation given of how the school will determine the success of family involvement and satisfaction of parents/guardians. (e.g. surveys/questionnaires)~~

A.8 Special Student Populations:

Element #1, pages 26 & 27 – Please describe your specialized instruction and supports in the general education classroom for your Special Education students.

Page 27, under heading “Gifted and Talented Education (“GATE”) Plan” – You mention that parents who request that their child be identified and/or designated as GT can make a written formal request to the Director, but no mention of the possibility of a student’s teacher being able to make the same request until the second page of your additional Attachment A.8.9. Please add this important information to page 27 as well.

Page 28 -- Your application also states “Relationships with local school districts and professionals will be fostered to help the Academy ensure and provide services to our students with special needs.” Please provide more detail as to what exactly you are expecting from the local school district who is not going to be your sponsor.

[Not provided in resubmission of application]

~~Element #3, page 30—Your application projects about 30 students eligible for Special Education services yet you only plan to hire 2 part-time NV licensed Special Education teachers. Please familiarize yourself with NAC 388.150 which explains the maximum number of cases per Special Education teacher. Please~~

pay particular attention to #6 which states that the maximum number of cases per Special Education teacher must not exceed the number prescribed pursuant to NAC 388.150 even if some or all of the pupils in Special Education attend classes in a general education environment and the Special Education teacher only provides collaborative or consulting services regarding such pupils. Suggestion: Plan on hiring 1 ½ teachers full time. Please make these changes in your first year budget also. For your second year, your application projects 500 students; please plan your Special Education student population to be about 50 students, which would require your school to hire a minimum of 2 full time teachers. Please reflect this in your second year budget.

****Note:** You cannot predict with certainty how many students will be Speech/Language eligible only; therefore, if you split the 30 in half and give each Special Education teacher 15 students on their caseload, this is still too high barring that the majority are SLD because a ½ time Special Education teachers caseload is 12 students. If you go 10% over that, then the maximum caseload for each ½ time teacher could only be 13 students.

~~Required Element #3, Attachment C.1.1 — No Special Education Student Transportation Budget was provided in year 1 nor in year 2. This must exist in case a student's IEP states that transportation will be provided or the parent reimbursed as needed to attend instructional appointments at the campus site, related services, psychological testing, RN assessment, CRT/HSPE assessments in another location besides their home.~~

~~Required Element #3, Attachment C.1.1 & C.1.2 — No mention of salary for an ELL teacher. Please change budget to reflect this expenditure.~~

Required Element #1, page 26 and Element #4, page 30 contradicts each other. On page 26 your application states "The School will provide services to students with Individual Education Plan ("IEP") that indicate that they can best be served in general education classrooms with the support of a special education teacher." On page 30 your application states "The School will provide services to students who's IEPs indicate that they may be served through support in the general education setting with resource support brought to them, or through pull-out services from a resource teacher..." Please clarify.

[Not provided in resubmitted application]

~~Attachment A.8.6 — Reference made to CCSD on page titled "Referral and Evidence Protocol", under Tier 1 Data, first bullet, "Explicit and systematic core instruction was Consistently provided according to CCSD standards..." Please change.~~

~~Attachment A.8.7 — Describes your school's continuum of services for Special Education. After reading this page, this reviewer is left with the impression that your school provides a full continuum of services like one of the other 17 county school districts. How is this possible when you are a distance education school? (E.g. When your continuum includes special schools, what does this mean? How is specially designed instruction delivered any differently than in a general education class that is distance~~

education? Do the Special Education students ever come on campus for face-to-face instruction from a NV licensed Special Education teacher?)

English Language Learners: Questionable use of Rosetta Stone to deliver ELL services – no mention of monitoring or ELL exit. Below is an email from the Nevada Department of Education:

It is permissible as a supplement to their program (Title III allowable expense) or as a part of their service program; they would need to be intentional about coordinating use of Rosetta Stone as a service to support students earning credit and developing content mastery – including meeting age/grade appropriate language arts standards. As a supplement program, it might be useful – especially if it is a virtual curriculum.

If they mean for that to be the students' ELA curriculum, it would have to be under the "more flexible" Charter School allowances for curriculum, but I would consider it inadvisable even if it were acceptable.

Ensure the budget is revised to be in alignment with the changes made in this section of the application.

[Budget does reflect a salary for ELL personnel and WIDA assessment materials, but it is not clear if Rosetta Stone is the only curriculum provided for your school's ELL students. Please be specific in your narrative in section A.8.]

Operations Plan

Analysis

The Operations Plan did not meet criteria for approval for a number of reasons; most notably, the staffing plan did not support the educational program and the use of “contractors” was unclear.

~~The proposed staffing plan of the school was unclear and did not align with other parts of the application. The Committee clarified in the Capacity Interview that they intend to hire the majority of teachers as part-time contractors and their EMO would provide instruction for low-incident courses such as guitar theory. Other areas of the application stated that the responsibility for curriculum and instruction would be delegated to the EMO. Additionally, the rationale for structuring the teaching core as part-time contractors was not fully explained. Simply calling a worker a “contractor” doesn’t make the worker a contractor; depending upon work conditions and circumstances, the part time teachers may indeed qualify as employees rather than contractors.~~

~~The proposed staffing plan for 300 students enrolled in grades 9-12 was 6 part-time contractors (teachers) at \$11,000 per teacher per year. The staffing plan appeared insufficient.~~

[Staffing plan has been revised.]

The Committee is commended for acknowledging the need for governing board training and development that is reflected in the budget.

Technical Revisions

This section requires significant revision and will impact the budget. Please ensure all changes are reflected in the budget and financial plan.

Bylaws:

- ~~• Art. 5.2(a): It’s not clear how three members, only, could meet the board membership requirements of NRS 386.549.~~

~~B.3.1: It’s not clear if the school’s “key personnel” would be employed by the EMO or the school’s board.~~

~~The B.4.1, P. 41: It’s not clear that the part time teachers the school anticipates hiring would indeed be considered “contractors” rather than “employees.” This has a variety of implications for the school, including regarding PERS enrollment. Simply calling a worker a “contractor” doesn’t make the worker a contractor; depending upon work conditions and circumstances, the part time teachers may indeed qualify as employees rather than contractors.~~

~~The recruitment and retention plan for teachers lacked detail.~~

There appeared to be a differentiation between characteristics of distance education and “bricks and mortar” and therefore the perceived need for a smaller administration structure (300 students and Director, Assistant Director and Admin Assistant). The Committee is encouraged to reach out to existing programs of distance education to test their assumptions related to staffing needs and qualifications of staff.

Financial Plan

Analysis

The Financial Plan only partially met criteria for approval because the budget and the education model appeared to align and the expense assumptions are realistic given the parameters of the school; however, certain expenses reflected in the budget may derive from inaccurate assumptions, and certain expenses may not be reflected.

As noted in prior sections the budget does not accurately reflect certain aspects of meeting the needs of special student populations. Additionally, the budget does not reflect the often high costs for distance education schools in the delivery of statewide mandated assessments. The budget would need to reflect any changes to the staffing plan of the school.

Technical Revisions

Significant revisions are required to ensure this section is aligned in support of the other sections of the application. Suggest revising this section last.

~~The pre-opening budget of \$46,388 was expected to be funded by requesting employees to go without pay for 3 months, deferring payment of payroll taxes for 3 months and/or drawing on a line of credit from their EMO, which they state would not exceed 15% of their operating budget. No written agreement documenting such an agreement was provided — need more information about the terms of the WES line of credit.~~

~~No mention is made of hiring a business manager.~~

~~P. 44: The anticipated costs of “texts, materials, etc. not provided electronically” need to be stated in the application.~~

~~P. 47: The applicant should clarify that the person to draw orders for the payment of the school’s money would always be a board member or an employee of the board (as opposed to being an employee of an EMO), if that is the case. The SPCSA discourages the person from being an EMO employee.~~

~~School not providing health services or health services plan. Please revise.~~

~~Seemingly high EMO fee (\$2900/student plus \$300 marketing fee).~~

[The EMO fee of \$2900/student plus \$300 marketing fee has been reduced to \$2,600/student plus \$300 marketing fee. The EMO fee & Outsourced marketing fee have been properly restated to reflect this change in the Cash Flow Statement for both years. SPCSA has requested the Committee to itemize the services provided for this fee.]

~~\$2,900 per student x 300 students for curriculum = \$870,000.00. Cash flow shows \$1,450,000 EMO Curriculum. Please revise or explain.~~

C.3 Facilities

May want to consider having enough space to allow for testing especially if the school plans to administer the PLAN and EXPLORE as well as the State assessments.

Performance Record

Analysis

The Committee identified a list of other entities, by way of reference, with which Williamsburg Academy has a relationship. No prior track record of Williamsburg Educational Services exists.

The contract was developed and informed by existing statute and regulation and does not appear to contain any prohibited provision outlined in statute and regulation.

Technical Revisions

~~Further explanation needed about how WES mission aligns with school mission—classical education combined with technology and applied math and science—how does it all connect?~~

~~What is the Committee's plan to monitor WES and evaluate their performance in the first few months of operation? There should be a roll out plan with performance benchmarks clearly stated to ensure WES is and will be able to serve students.~~

~~What are the Committee's plans if the WES does not meet performance expectations? What other providers of Classical curriculum exist such that a failure of WES does not result in a failure of the Leadership Academy?~~

~~Please submit further results of WES with the programs mentioned in attachment B.3.12.~~

Evidence of Capacity

Analysis

The Evidence of Capacity only partially met standard because the plan as proposed does not fully convey that the Committee appreciate the complex legal requirements to which a public school must adhere. This finding is particularly noteworthy in the delivery of services to special needs students, knowledge of credentialing requirements, and the associated financial obligations. Additionally, the Committee and EMO with which it intends to contract collectively have no prior experience in leading and operating a public charter school.

Three members of the Committee report prior board experience. Ms. Blake serves on the Pillar of Light Commonwealth – a community of families created to serve the needs of homeschool families in Las Vegas. Ms. Kleven serves on the board of RISE Education Resource Center – an organization dedicated to providing a facility and resources to support educational choice; and has served on the board for the Pillar of Light Commonwealth School. Mr. Parker reports experience on the board of the Las Vegas Gem Club and the BYU Management Society.

[New members added to CTF – Bryon Richardson (principal at Uintah River High School) intends resign and apply to be principal of Leadership. Laurie Richardson (special education advisor).]

[Ms. Kleven will resign from CTF with the intention to work at the school. Ms. Parker will resign from board to prevent a conflict of interest with her husband, Mr. Parker.]

~~The two Parkers on the Committee are spouses; related parties on the board/Committee are discouraged by SPCSA guidance. The Committee acknowledged their understanding of the SPCSA guidance and indicated that one party would be willing to step off the Committee.~~

~~Expansion of the Committee to include a member with prior experience in the operation of a public school, preferably a distance education charter school, would significantly strengthen this section.~~

Each member of the Committee brings a wealth of professional experience to the Committee and is commended for their vision to propose a charter school.

Technical Revisions

None, see above.

STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

S U B J E C T: Consideration regarding the
Application Review Team's recommendation of
American Preparatory Academy's charter school
application

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: January 8, 2013

AGENDA ITEM: 12

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Steve Canavero, PhD, Director, SPCSA

RECOMMENDATION: Approval of Subsection 7 Charter

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 10 mins

BACKGROUND:

SUBMITTED BY: _____

American Preparatory Academy – Las Vegas

Resubmission

Recommendation

Overall Recommendation

- ~~• Deny: The Committee is encouraged to revise and resubmit the application within the 30-day NRS 386.525 resubmission window. The deficiencies in the application preclude a Subsection 7 approval at this time, but could be corrected in a manner that does not fundamentally alter the school's proposed program. If corrected to the satisfaction of SPCSA staff and resubmitted pursuant to NRS 386.525, staff would recommend approval of a Subsection 7 Charter.~~
- Approve – Subsection 7 Charter

Summary of Section Ratings

Rating options for each section are Meets the standard; Approaches the standard; Does not meet the standard

Section 1. Education Program Design

- Approaches Meets the standard

Section 2. Operations Plan

- Approaches Meets the standard

Section 3. Financial Plan

- Approaches Meets the standard

Section 4. Performance Record

- Approaches the standard

Section 5. Evidence of Capacity

- Approaches the standard

Education Program Design

Analysis

The Education Plan only partially met criteria for approval because the school proposed to serve grades K-12 but the high school education plan was not fully developed. ~~The education program for the high school (grades 9-12) was addressed in a somewhat haphazard manner throughout the application. In some areas the high school program was clearly detailed while it was omitted in other areas.~~ During the Capacity Interview the Committee confirmed the Review Team's observation and acknowledged the lack of a fully developed high school program.

In the goals section of the application the Committee included a goal in which 75% of students, attending for three consecutive years, would meet or exceeds proficiency on state assessments. The 2014-2015 Annual Measurable Objective (AMO) for elementary math is over 80. Any proposed goal that does not at least match the rigor of the statewide accountability system is unacceptable. It is suggested that the Committee revisit their goal setting.

The Committee was able to clarify during the Capacity Interview the nature of the targeted at-risk population they proposed to serve. Additionally, the Committee explained, in detail, how the proposed curriculum and school structure would support the targeted student population. The Committee is commended for submitting a well designed K-8 education program with structured, data-driven instructional processes and including a goal related to science – because the state did not set AMOs for science, science is often not incorporated into a school's goals.

Technical Revisions

~~Lacks reference to the HSPE in the assessment portion, Missing required element A.3.7 and A.3.8 (courses required for graduation and diploma).~~

Because AMOs differ between elementary and high school, the school may want to consider separate benchmarks. The AMOs in 2014-2015 at the elementary level are 75.11 for reading and 82.54 for math. At the high school level, the AMOs are 90.42 for reading and 92.17 for math. In 2014-2015 the school should have 11th graders—Does a 75% bench mark work for both grade levels?

~~A.3.1 Concentrates on K—8. There is little information on high school curriculum.~~

~~The description of the social studies curriculum at the high school level seemed to be missing the Trivium emphasis. The application stated social studies would be “taught in the traditional manner.” The description of the secondary curricula seemed to lose the direct instruction Trivium emphasis.~~

~~Why does the schedule of courses include the Utah state core objectives?~~

~~Saxon high school math program does not have a good translation for the state standards or CCSS. The books are not set up for Algebra, Algebra II, Geometry, Pre-Calculus and Calculus. The material is circular and all books cover all topics. Calculus is the only separate book. Advanced Mathematics is the~~

~~book that covers Geometry and Pre-Calculus along with Algebra II topics. It would be quite difficult to align this with state standards or to break the books into specific math courses. I would question whether or not applicants have looked into this area. Page 54 refers to Saxon Geometry text which does not exist.~~

~~Physical Education and Health—The sex ed allowable curricular materials are very specific for 8th grade and high school. They do not acknowledge this area at all.~~

~~A. 3.13 References to elementary grades for coaching. “Teachers in the elementary grades have 4 levels of proficiency”, what about the other grades?~~

~~Attachment A.5.3: The alternative schedule application would need to be submitted to the State Supt for his approval.~~

School Climate and Discipline

- ~~• Disconnect between what works for elementary and what works for high school (Builder’s poem, parent intervention)~~
- ~~• Element #1—No narrative explaining how the school’s policies support the educational goals of the school was provided in the application. The submitted application offered a copy of their policy manual upon request. Our request was the narrative, not informing us that you have a manual.~~
- ~~• Attachment A.6.3, page 3/11, under the heading of “Expulsion”, Clark County School District policy is mentioned. Please remove.~~

~~A. 7.1 First real reference to at-risk, ELL students, but no correlation to curriculum, or the professional development.~~

~~Parent involvement. Why only elementary school parents? Is this a typo because it is copied from somewhere else or would the school just discount the middle and high school parents?~~

~~A.7.4 What are “extensive outreach efforts”?~~

A.8 Special Student Populations

~~Attachment a.8.6, page 5/5, under “Qualified Student” – Please change your eligibility headings to reflect the proper eligibility headings according to NAC 388.001 – 388.450.~~

[Your changes are not up to date. Please change Autism to Autism Spectrum Disorder; add Deaf to Hearing Impairment (e.g. Hearing Impairment/Deaf); add Blind to Visual Impairment (e.g. Visual Impairment/Blind); remove Gifted and Talented because you follow a different flow chart to identify and service this population; change Mental Retardation to Intellectual Disability; and add Deaf/Blind as another eligibility category.]

Attachment A.8.7 – I caution your school in using a paraprofessional in a “pull-out” situation. If this happens, make sure that a NV licensed Special Education teacher is in the same room with them. A paraprofessional cannot be the “teacher of record” nor be put into a situation that might be liable for the paraprofessional.

[The resubmission of Attachment A.8.7’s flowchart of LRE still contains the word “or” under the column “by whom” (e.g. teacher or paraprofessional). This reviewer is very concerned that the paraprofessional will be the one who is developing, writing, and implementing the direct instruction to the identified special education students at your school. Please make the necessary changes to your wording so that it is clear who is responsible.]

~~Additional Appendix A.8 – If the school would use the APA IDEA Policies and Procedures manual provided in your application, all references to Utah must be removed.~~

~~Additional Appendix A.8, page 6/48, c. & Page 31/48 contradict each other – Will the school provide preschool for Special Education students?~~

~~Additional Appendix A.8, page 8-9/48, C.1.d. – The Principal can be included as part of the Child management Team, but should not be the sole decision maker if a student is evaluated for Special Education services or not. It is a multidisciplinary team decision with parents involved. If the school receives a charter in NV, please make changes to this section.~~

~~Additional Appendix A.8, page 14/48, G.2 – Eligibility must be determined for an initial eligibility by the 45th school day after a parent signs permission for the evaluation. Eligibility must be determined for a 3 year reevaluation on or before the last evaluation/reevaluation date. G.3b – A reevaluation must either take place or a scope evaluation. It cannot be “passed” over. Some form of paperwork must be completed, either a full psychological assessment or the scope paperwork.~~

~~Additional Appendix A.8, page 14/48, H.3. – Please note that NAC 388.001 – 388.450 has very specific guidelines per eligibility of who MUST be in attendance. This reviewer was concerned with the use of the words “may include” in the second sentence.~~

~~Additional Appendix A.8, page 32, O.1. and 2 – NAC 388.284.1 requires that for students 14 years of age or older, transition services with regard to the student’s courses of study be included in the student’s IEP. If you receive a charter, please change this to meet NAC 388.284.1 guidelines.~~

~~****Note:** This reviewer stopped reviewing this policy and procedure manual at this point. If you receive a charter in Nevada, this manual will need to be written to comply with NRS and NAC requirements.~~

~~Attachment C.1.2, pages 2/9, Special Education Budget expenses: Expect 10% of your first year’s projected enrollment of 990 students to be eligible for Special Education services, which would be about 99 students. You plan on hiring a Special Education Director through the EMO and your 2013-14 budget reflects the salary of one NV licensed Special Education teacher at \$24,756. First, you need to familiarize yourself with NAC 388.150 which states the specific caseload and class size limitations for Special Education programs. Please pay particular attention to #6 which states that the maximum number of~~

~~cases per Special Education teacher must not exceed the number prescribed pursuant to NAC 388.150 even if some or all of the pupils in Special Education attend classes in a general education environment and the Special Education teacher only provides collaborative or consulting services regarding such pupils. Suggestion: Plan on hiring 4 to 4 1/2 fulltime NV licensed Special Education teachers. Please make these changes in your first year budget. For your second year, your application projects 1170 students; please plan your Special Education student population to be about 117 students, which would require your school to hire a minimum of 5 full time NV licensed Special Education teachers. Please make these changes in your second year budget also, C.1.2, page 2/10.~~

~~Attachment C.1.2, page 2/9 (first year) and C.1.2, page 2/10 (second year) — Benefits for the first year are \$7,278 and the second year \$162,180. This is not correct. Please make corrections.~~

~~Attachment C.1.2, page 2/9 - \$408 dollars for purchased services of a NV school licensed psychologist, RN, Speech/Language Pathologist, OT/PT, APE, etc... for one year, is not an adequate amount of money based on a projected Special Education population of 99 students for your first year.~~

Your resubmission of Attachment C.1.2, page 2/9 states that you have budgeted \$2,094 for purchased services for your special education students for the first year and \$2,475 for your second year of operation. This is still not adequate to cover the cost of all related service providers for your special education students. Please do your research and compare the actual cost spent annually on special education purchased services with another schools in Nevada with a similar special education enrollment.]

~~Attachment C.1.2, page 2/9 (first year) and C.1.2, page 2/10 (second year) — Your school stated in your A.8.3, page 33/35 narrative that \$3,000 will be reserved for Special Education supplies, but your budget reflects that \$2,041 is reserved for the first year and \$150,000 for the second year. Why is there such a huge disparity between the two school years? Please correct with reasonable amounts based on 10% of your projected enrollment for your first and second years of operation.~~

[In your Budget Narratives, please list the Special Education Supplies and amounts separate from the general education supplies.

Additional concerns in resubmission:

Narrative A.8.4, page 39 - Continuum of Services

The resubmission of your application included an additional paragraph describing how a paraprofessional would be the primary person delivering services to special education students in the general education classroom under the direction of the teacher. Please make sure that your hired licensed Special Education teacher/director is also responsible for developing, writing, and delivering instruction to your special education students. In attachment A.8.7 flowchart of LRE it is only mentioned that the “teacher” under “by whom” column is responsible, but it is not clear by this reviewer if you are referring to the general education teacher or the licensed special education teacher/director. Please specify.]

Operations Plan

Analysis

The Operations Plan only partially met criteria for approval because only the K-8 program was sound. The staffing plan included appropriate teacher allocations and identified a ratio of one teaching assistant to one teacher. Teacher qualifications included specific reference to the core instructional model employed by the school and sufficient recruitment strategies. ~~The Committee recognized that they do not currently reflect the diversity of the community the school proposes to serve and addressed plans (in the application and Capacity Interview) to revise Committee membership to reflect the community.~~

The Committee to Form intends to contract with an EMO, American Preparatory Schools (APS) for staffing, academic programs (methods of delivery) and services as well as business operations services. Although the application and Capacity Interview suggested the Committee conducted modest due diligence in their selection of American Preparatory Schools, ~~the presence of a familial relationship between the Committee and American Preparatory Schools represents a conflict of interest (the Committee Liaison is the niece of the EMO's founder.~~

Technical Revisions

The contract with APS requires revision that may alter the proposed structure of the school. Please ensure that all changes are accurately reflected in the budget and financial plan. Please review NAC 386.400, 386.403, 386.405, and NRS 385.562.

[Revision to contract term (Section 1.1) is necessary]

~~The role of teaching assistants in HS was not clear.~~

~~Secondary will probably want a teacher licensed in social studies not just history.~~

~~Will want secondary licensed teachers not middle/junior high licensed teachers (finding teachers with a middle/junior high license in NV will be difficult to find and will limit the school as the grades expand past 10th grade).~~

~~The school may have difficulty finding licensed Latin teachers.~~

Bylaws:

- ~~• Art. 5.11(k): the correct citation is NAC 387.775.~~
- ~~• Art. 6.7: The EMO contract will not be "approved" by the SPCSA or NDE. It will be reviewed by the SPCSA. It's the responsibility of the school's committee to form/board to review the contract to determine if it serves the school's interests well and to ensure it complies with NRS 386.562.~~
- ~~• Art. 7.3: If the administrator is an employee of the board, and the chairperson is a board member, how could they be the same person?~~

- ~~Note: The Appendix B.1 board policies were not reviewed by this reviewer.~~

Other concerns:

~~P. 35, B.1.4: Given the familial relationship between the Committee liaison and the EMO founder (niece/aunt), a stronger statement that no board members will be suggested or nominated by representatives of the EMO is needed. Governance must be clearly separated from the EMO; it currently is not.~~

~~P. 37, B.3.1: Although there is no prohibition against "key personnel" being employed by an EMO, as would be the case at the proposed school, the practice is discouraged by the SPCSA. "Key personnel" (see NAC 386.405(4)) should be employed by the school's board, not the EMO.~~

~~P. 40, B.3.5: The dispute resolution method is outdated and requires revision to acknowledge the SPCSA, not the State Board/NDE, as the sponsor.~~

~~P. 40, B.3.7: The lottery statement requires further development. A model statement is available from the SPCSA for adoption by the applicant.~~

~~B.4.1 No reference to need for ELL specialists.~~

~~B.4.3 Rough draft with little real detail.~~

Financial Plan

Analysis

The Financial Plan only partially met criteria for approval due in large part to the discrepancies within the application related to key aspects of the Committee's fiduciary responsibility. The relationship proposed in the contract between the EMO and the school was problematic. For example, section 22.2 of the draft contract charged EMO employees Carolyn Sharettte and Phil Collins with the fiduciary responsibilities for all school funds and authorized them as signatories on school checking accounts, however the application identified Jonathan Gardner as the person designated to draw orders for payment.

The Review Team encourages the Committee to thoughtfully revisit the proposed relationship with the EMO and re-negotiate a contract that clearly acknowledges the supremacy of the school board over the EMO.

Technical Revisions

Please ensure the financial plan and budgets are aligned with all sections of the application.

The Cash Flow Statements, while correct in the aggregate, have some expenses misclassified, resulting in unrealistic details. Year 2 CFS neglected to carry forward the ending cash balance from Year 1. Contingency plans for unexpected budget shortfalls are general in nature, relying on unspecified reductions in expenditures combined with staff reductions, primarily paraprofessionals. The Business Plan calls for the hiring of a business manager.

The EMO fee is budgeted for 17%

[EMO Fee was adjusted to reflect changes to contract.]

P. 51: \$40 should not automatically be charged for elective courses. Only elective courses that actually consume materials worth \$40 should charge \$40.

Is the \$20 PE uniform fee an annual cost? Semester cost? One time cost?

P. 52: The applicant should clarify that the person to draw orders for payment of the school's money would always be a board member or board employee (as opposed to an employee of an EMO), if that is the case. The SPCSA discourages the person from being an EMO employee.

C.3.1 (4) Highly aggressive time frame for obtaining a facility. A build to suit or shell will be difficult to complete in the time allotted.

- ~~What if any relationship does the developer have with the applicants or EMO?~~
- ~~C4.1 Drill map belongs to another facility, as this school currently has none.~~

- C4.5 Emergency Response Plan borrowed from another school. All references to locations, personnel, responding parties, outside entities, phone numbers listed for the school, etc. must be corrected.

Performance Record

Analysis

The Performance Record only partially met criteria for approval because the contract contains provisions prohibited by law and regulation. American Preparatory Schools does have an emerging track record of assisting with the operations of financially viable schools and achieving educational outcomes that, while not overly compelling, demonstrate academic growth in schools serving similar students.

The proposed administrative leadership of the school would all be employees of APS not the school's board. The presence of related parties, the proposed contract, and the entire leadership team directly answering to APS, rather than the school's board provides the impression that the EMO would have undue control of the school.

The American Preparatory provides services to three charter schools in Utah—American Preparatory-Draper, School for New Americans, and Accelerated School (just opened). American Preparatory-Draper opened in 2003 with an overall student population that is low minority and low socioeconomically disadvantaged. The School for New Americans was opened in 2009 with an overall student population that is high minority and high socioeconomically disadvantaged. Although both schools achieved Utah State level of Performance for 2010-2011, progress and proficiency scores were lower for the School for New Americans with the individual subgroups not performing as well academically as their counterparts at Draper. The Authority does not consider the American Preparatory Academy-Draper to be an accurate comparison to determine the potential performance of the American Preparatory Academy-Las Vegas.

Technical Revisions

None, see above

Evidence of Capacity

Analysis

Based on the application and Capacity Interview the Evidence of Capacity only partially met the criteria for approval. The Committee is composed of individuals with strong professional experience and expertise in the fields of finance, education, and law. The Committee was able to speak in detail about all aspects of the application and demonstrated a shared vision for the school. The application and the Capacity Interview indicated that a modest level of due diligence was conducted in evaluating and selecting American Preparatory Schools as a contractor with which the school planned to engage. Various members of the Committee were able to speak in great detail about the terms of the contract with APS and their expectations of APS in carrying out the duties.

As noted elsewhere in the review, the proposed APS contract contained a number of provisions that do not comply with Nevada law and regulation. That the Committee did not appear to re-negotiate the contract in order to bring it in line with their needs as well as Nevada law and regulation is of concern. ~~Of equal concern is the presence of a conflict of interest in a familial relationship between a potential board member (current Committee member) and the proposed contractor. To the Committee's credit, the conflict was recognized and the party would remove herself if necessary.~~

It is suggested that the Committee renegotiate the contract with APS, clarify the roles and responsibilities of both the EMO and board, ~~expand membership of the Committee to be more reflective of the community it intends to serve,~~ and further develop and refine the high school plan.

Technical Revisions

Adding a member to the Committee with successful charter school administration experience would strengthen this application.

[Committee to Form indicated their willingness to work with Authority staff to increase the number of APA-LV Board Members and the development of standing committees (Academic, Governance, Finance.)]

STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

S U B J E C T: Consideration regarding the
Application Review Team's recommendation of
Imagine Centennial's charter school application

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: January 8, 2013

AGENDA ITEM: 13

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Steve Canavero, PhD, Director, SPCSA

RECOMMENDATION: Deny - Significant application deficiencies were found which cannot be remedied without major revisions that would significantly alter the nature of the application

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 30 mins

BACKGROUND:

SUBMITTED BY: _____

Imagine Centennial

Resubmission

Recommendation

Overall Recommendation

- ***Deny: Significant application deficiencies were found which cannot be remedied without major revisions that would significantly alter the nature of the application.***

Summary of Section Ratings

Rating options for each section are Meets the standard; Approaches the standard; Does not meet the standard

Section 1. Education Program Design

- ~~Approaches~~ Meets the standard

Section 2. Operations Plan

- ~~Does not meet~~ Approaches the standard

Section 3. Financial Plan

- Does not meet the standard

Section 4. Performance Record

- Does not meet the standard

Section 5. Evidence of Capacity

- Does not meet the standard

Education Program Design

Analysis

The Education Program only partially met standard due to a number of reasons. The most prominent of which are discussed below.

~~Applicants were required to include course descriptions that include the content, skills, and measurable objectives for each of the content areas at each grade level. The Committee submitted sufficiently detailed course descriptions at many grade levels. However, course descriptions were missing for Grades 1 and 2 all subjects except Earth Science; and Grades 4 and 5 all subjects.~~

~~The goals provided in the application were of questionable rigor. For example, one goal identified that 75% of students enrolled for three consecutive years would achieve proficiency or advanced status on the state assessments. This goal would allow Centennial to meet their performance goal yet underperform the statewide Annual Measurable Objectives to which all public schools are accountable.~~

~~The plan for professional development did not appear comprehensive or coordinated. The school proposed two weeks of professional development at the beginning of school in addition to four days during the year. One of the two weeks at the beginning of school (fall institute) was focused on “introducing” teachers to the Imagine philosophy and curriculum. Additionally, it was unclear how the school and who at the school would determine the professional development need and coordinate with the Regional Student Achievement Coach and onsite Data Coach.~~

The Committee is commended for weaving the mission and vision for the school into much of the Education Program. The use of multiple assessments is laudable. The application provided a relatively clear picture of how the school may operate.

Technical Revisions

School Goals and Objectives

- ~~a. Centennial established an 80% re-enrollment goal; without a basis for such a goal it is impossible to determine if it is rigorous.~~
- ~~b. As noted in the analysis, 75% of students enrolled in grades 3-8 for three consecutive years would achieve proficient or advanced status on the state’s annual assessment—2015-2016 AMOs will be 78.21 in reading and 85.54 in math.~~
- ~~c. Please amend the charter application accordingly.~~

Professional Development

- ~~a. In the resubmitted charter application, please clarify how the school and who at the school will determine, coordinate, and evaluate the professional development needs of the staff.~~

Special Education

- a. ~~The school anticipates hiring one special education teacher; however, NAC 388.150 establishes specific guidelines concerning caseloads for special education teachers. Using the projected enrollment and historic statewide average of special education students (i.e., 10%) the school should count on 1.5 FTE.~~
- b. ~~A.8. 1, Page 29 under heading “Assessment of student’s proficiency in English” — The school must screen and identify any student in grades K-12 who answers “Yes” to any of the NV required questions on the Home Language Survey, not just students in K — 1st grades. Additionally, at the annual opening of each school year, staff has 30 days to complete screening and identification, not 60 days as indicated in the application. After this time frame, when a student enrolls, staff has only 10 school days to screen and identify these students. Page 30 — ELL students are annually tested for their English Language Proficiency. This timeframe is mandatory. It cannot be every 2 years as is stated in the application.~~

[In Section A.8, page 31, paragraph two, it is stated that “Imagine Centennial may, at any time, ..., reassess a student who is classified as an English language learner to determine if the student’s proficiency in English is fluent.” DOE sets the testing timeframe not the school. Also in the same paragraph, (3) states that “[parents] are allowed to participate in determining reclassification.” This is not accurate. The WIDA ELPA annual assessment is sent back to the vendor for determining what level an ELL student scored in comprehension, speaking, reading, and writing.]

- c. ~~Part B funds will not be available until spring of a new charter’s first year of operation.~~
- d. ~~The applicant also needs to set aside a small amount of money for transportation in case an IEP deems that it is necessary. This would probably be money that is reimbursed to the parent for transporting their child to and from school or related service appointment that is required in an IEP. If the funds are not used, they can be rolled over each year in this category.~~
- e. Please amend the charter application to reflect the above concerns.

Operations Plan.

Analysis

The Operations Plan only partially met criteria due to a number of reasons. The most prominent of which are discussed below.

~~The proposed location of the school, by address, was included in the contract. It was unclear to the Review Team the implications of describing the location of the school within the agreement. This may reflect an attempt to link the operating agreement to the school's facility/lease. Such a link would be considered a contingency and as such would be prohibited by statute.~~

~~The lottery description was insufficient and incorrect. The school was not proposed as "at-risk", therefore siblings of enrolled pupils may not be exempted from the lottery. The SPCSA recommended that schools adopt the model lottery system developed by the SPCSA.~~

~~The application did not make clear the delineation of the roles and responsibilities between the school's governing body, management and EMO. The application and EMO contract stated that up to 30% of teachers, and all personnel not required to be licensed, would be provided by the EMO. It was not clear what role the board would play in identifying the need and approval of the "other personnel" hired by the EMO and paid for by the school. The Imagine Centennial Board would be responsible for employing a licensed teacher for each grade level for which the charter school offers instruction.~~

The application lacked a strong statement clarifying that neither the EMO, the EMO's representatives or contractors, nor the school administrator would be the source of suggestions/nominations for new board members. The application did refer to board members speaking with possible candidates about the possibility of joining the board. ~~Board members would be required to sign a contract, formally assuming responsibility as the Governing Board, yet no sample of the contract was contained in the application.~~

The application and bylaws only generally discussed professional development opportunities available to the board in order to build capacity. To ensure sufficient distance and objectivity from the EMO, the board members should receive more training than what was referred to in the application.

[This concern is addressed, but the plan is still vague. \$2000 is set aside in the budget for board training.]

[The statement on page 39 of 55 of the resubmitted application that the "EMO will not have direct control over the appointment of the members of the Governing Board" is weak; it fails to resolve concerns about excessive influence over the board by the EMO, Imagine Schools.

It should be noted that nowhere in the bylaws is found the suggested bylaws language regarding identification of new board members; such language is provided in bylaw stipulation 10 on page 36 of the February 2012 Charter School Application Packet.

Finally, it should be noted that the bylaws include a reference to Imagine Schools, Inc. This further demonstrates excessive influence by the EMO over the board. Because the contract between the board and the EMO could be terminated at any time, it is improper for the bylaws to specifically reference Imagine Schools.]

Technical Revisions

~~The proposed location of the school, by address, was included in the contract. It was unclear to the Review Team the implications of describing the location of the school within the agreement. Please remove the language from the Charter School Operating Agreement in the resubmitted charter application.~~

~~The lottery description was insufficient and incorrect. The school was not proposed as “at-risk”, therefore siblings of enrolled pupils may not be exempted from the lottery. The SPCSA recommended that schools adopt the model lottery system developed by the SPCSA; amend the application accordingly.~~

The application did not make clear the delineation of the roles and responsibilities between the school’s governing body, management and EMO.

- ~~a. The application and EMO contract stated that up to 30% of teachers, and all personnel not required to be licensed, would be provided by the EMO. It was not clear what role the board would play in identifying the need and approval of the “other personnel” hired by the EMO and paid for by the school.~~
- ~~b. The contract states that the Board shall be responsible for approving the appointment or change in the appointment of all “key personnel” but does not appear to contain any role of the Board in approving the additional employees outside of key personnel.~~
- ~~c. Please amend the charter application to clarify the above concerns.~~

The application lacked a strong statement clarifying that neither the EMO, the EMO’s representatives or contractors, nor the school administrator would be the source of suggestions/nominations for new board members. The application did refer to board members speaking with possible candidates about the possibility of joining the board. ~~Board members would be required to sign a contract, formally assuming responsibility as the Governing Board, yet no sample of the contract was contained in the application.~~ Please make necessary revision to the charter application.

The application and bylaws only generally discussed professional development opportunities available to the board in order to build capacity. To ensure sufficient distance and objectivity from the EMO, the board members should receive more training than what was referred to in the application. Please include a clear plan for professional development of the Centennial Board and ensure the budget is aligned if new costs are incurred.

[This concern is addressed in the resubmission, but the plan is still vague. \$2000 appears in the budget for board training.]

The bylaws end at Art. 7.2, page 145. Some bylaws appear to be missing, for example, Art. 9.1 which is referred to in Attachment B.1.3, bylaw stipulation. Please amend the charter application accordingly.

[The Charter School Operating Agreement, Article VII Termination of Agreement, B.4 Payment must be revised to reflect NRS 386.562(1)(d) and not require the board to immediately pay Imagine for outstanding debts.]

[Bylaws

Art. 2.1 fails to address bylaw stipulation 15 regarding diversity of the board.

Art. 3.3: The last sentence is unclear.

Art. 3.5(a) fails to address bylaw stipulation 10 regarding the source of nominations for new board members.

Art. 3.7 fails to address bylaw stipulation 13 regarding the board action with a board whose membership fails to comply with NRS 386.549 or the board's bylaws.

Art. 5: The first phrase ("In the event...") is unclear. It is also contradictory in that, as stated above, Imagine is already (improperly) identified in the bylaws. It's not clear why Art. 5 is included in the bylaws; and there is no reason to name Imagine, Inc. in the bylaws.

Art. 5: The phrase "Subject to the contract [between Imagine and the school] approved by the State Public Charter School Authority." is not a sentence, and is unclear. Furthermore, the Authority does not "approve" or deny contracts.

Art. 8.1: It's not clear how the board would compel the person designated as the trustee for closure of the school to do his/her job as trustee. What would be this person's motivation to carry out such duties, especially if the school closes for financial reasons and has no funds to pay the trustee?]

Financial Plan

Analysis

The Financial Plan only partially met criteria for approval due to a number of reasons. The most prominent of which are discussed below.

The review team noted that budgeted building lease costs were significantly higher than other charter schools in the same geographic area. According to the Budget Narrative submitted in the application, "Facility costs are based upon historical costs of other Imagine Schools in Nevada." When asked about the lease agreement in the Capacity Interview, a member of the Committee was able to cite a per-square foot cost but the Committee didn't appear to conduct a more thoughtful analysis regarding suitability of the proposed facility – a noteworthy finding given the national and local attention paid to the Imagine Schools Inc. questionable leasing arrangements.

~~The Imagine Schools Inc. lease for furniture and equipment (@\$750/student in year 2, term of 4 years) was proposed as a "4 year depreciable capital lease, no buyout." The budget did not appear to accurately reflect the cost of the lease. More detail is needed to understand if the proposed lease is operating (the school does not own the asset at lease end) or capital (the school would own the asset at lease end).~~

The contingency plan appeared solely reliant upon Imagine Schools Inc. to ensure sustainability of the school. Such reliance on the EMO does not demonstrate the Committee has thoughtfully approached their commitment to maintaining the financial viability of the school.

[See below]

Technical Revisions

~~In Article V(C)(2) – Budget Detail of the Draft Contract with Imagine Schools submitted as Attachment B.3.1.3,~~

- ~~a. The term "except as otherwise agreed upon" is used in the middle of a list. Please explain.~~
- ~~b. In the same list, the term "financial service supervision" is used. Please explain.~~

The review team noted that budgeted building lease costs were significantly higher than other charter schools' lease costs in the same geographic area. According to the Budget Narrative submitted in the application, "Facility costs are based upon historical costs of other Imagine Schools in Nevada."

- a. In the resubmitted application, please document the historical costs of other Imagine Schools in Nevada to support the Committee's proposed lease agreement.
 - i. Authority analysis of Clark County based charter school lease agreements yields an average of 14% of per pupil revenue. Imagine Centennial proposes to enter into a lease agreement that commits 18% of per pupil revenue in year 1 and 21% of per pupil revenue in year 2.

[Historical costs of other Imagine Schools in Nevada were not provided. The only reference made to other costs appeared in the budget narrative (page 408/423), where the Imagine Centennial Committee to Form states: “Facility costs are based upon historical costs of other Imagine Schools in Nevada. At Imagine 100 Academy of Excellence, the sublease rate is based upon \$1,600 per student. At 375 students, an equivalent sublease rate would be \$600,000 annually or \$50,000 per month. This campus is also a special use property.”

The original lease agreement dated March 5, 2007 between Schoolhouse Finance and Imagine 100 Academy for the property at 2341 Comstock Drive identifies a base rent of \$1,020,000 with an annual escalation (lesser of: 1.5% over the CPI or maximum allowed by law). The lease was amended in FY12 to reflect the fixed cost of \$1,600 per non-weighted enrollment as identified by the Committee in the resubmitted application. Using Imagine 100 Academy to support the proposed lease agreement is troubling, considering that over the course of its charter, Imagine 100 Academy has paid as much as 56%, and never less than 26%, of its annual budget to satisfy the Schoolhouse Finance, LLC lease, leaving little to carry out the educational programming at the school.

Leases	Enrollment 12/13	Annual rent	Square Feet	Square Feet per Student	Cost per student annually	Percentage of per pupil revenue
100 Academy 2007-8 Original	614	\$1,020,000	50,428	82	\$1,661	27%
100 Academy 2007-8 Revision	614	\$1,283,058	50,428	82	\$2,090	34%
100 Academy 2008-9	601	\$1,399,343	50,428	84	\$2,328	38%
100 Academy 2009-10	481	\$1,321,056	50,428	105	\$2,746	44%
100 Academy 2010-11	374	\$1,289,183	50,428	135	\$3,447	56%
100 Academy 2011-12	558	\$900,788	50,428	90	\$1,614	26%
100 Academy 2012-13	670	\$1,072,000	50,428	75	\$1,600	26%

The Committee did not include Imagine Mountain View’s lease in their justification for their proposed lease agreement. Imagine Mountain View leases 13,886 square feet at 11% of per pupil revenue and providing 42 square feet per student. The cost of the lease at Imagine Mountain View is \$691 per student. The Committee’s logic used to justify the high lease cost can be applied to argue for a much lower lease cost as well: At 375 students, an equivalent sublease rate would be \$259,125 annually or \$21,593 per month, 76% less than what is currently paid by Imagine 100 Academy, 39% less than the proposed FY14, and 56% less than the proposed FY15 lease agreement in this charter application.

Leases	Enrollment 12/13	Annual rent	Square Feet	Square Feet per Student	Cost per student annually	Percentage of per pupil revenue
Imagine Centennial FY14	375	\$420,000	37,234	99	\$1,120	18%
Imagine Centennial FY15	450	\$588,000	37,234	83	\$1,307	21%
100 Academy	670	\$1,072,000	50,428	75	\$1,600	26%
Quest Grand Montecito	715	\$552,000	37,234	52	\$772	12%
Imagine Mtn. View	332	\$229,552	13,886	42	\$691	11%
Average Clark						14%

- b. In the resubmitted charter application, please provide an explanation to justify the 40% increase in lease payments for year 2 (\$420,000 - \$588,000). This increase represents a \$108,000 annual premium to the lease agreement between Centennial Academy, LLC and Schoolhouse Finance, LLC.

[Page 423 of the resubmitted application budget narrative states: “The sublease is based upon the master lease rate paid to the property owner. At \$49,000, there are no costs included for the credit and guarantee by Imagine Schools.”

Under the pages labeled Imagine Centennial Corrections Addressing Deficiencies, the Committee states: “Schoolhouse Finance decreased the rent the first year of operations to align with lower student population. The second year, when the school is better able to afford the rent amount designated on the master lease, the rent increases.”

In February, 2010, Centennial Academy, LLC (landlord) entered into a lease with Schoolhouse Finance, LLC (tenant) for the property located at 6610 Grand Montecito Parkway. The term of the lease (“master lease”) continues through June 30, 2020 with basic monthly rent of \$35,372.50 from July, 2010 – June, 2012 and then escalating to \$40,000 from July, 2012 – June, 2020. In the lease agreement proposed to be entered into by the Committee to Form Centennial, Schoolhouse Finance, LLC would act as a sublandlord to Imagine Centennial the subtenant.

The Committee’s justification for the 40% increase in lease payments between year 1 and 2 appears to be based off the “master lease”, to which Imagine Centennial is not a party. Using the “master lease” rate to justify the rent Imagine Centennial will pay represents the interests of Schoolhouse Finance, LLC’s over Imagine Centennial’s – a clear conflict of interest in the Committee’s responsibility as stewards of tax dollars.

- c. Please provide documentation of the Committee’s due diligence that it conducted to ensure that it contracts for the appropriate school size and cost for the proposed enrollment in years 1 and 2.

[Committee offered no response to document that they researched the appropriate size building to house proposed enrollment of 375 in FY14, 450 in FY15 and an ultimate enrollment of 525. The building proposed in the current application currently functions as a school and accommodates over 700 students indicating that the proposed school would be paying for as much as 87% and 56% more space than necessary in FY14 and FY15, respectively.

The Committee provided a commercial real estate report and summary in the resubmission to “...ensure the suitability of lease rates for the campus.” The inclusion of a commercial real estate report is distracting given the Committee’s assertion in the original application that the lease rate was based on historical costs of other Imagine Schools in Nevada. The comparative market analysis provided in the committee’s resubmission did not address the Authority’s focus on “other charter

schools' lease costs in the same geographic area" and request for "documentation of the historical costs of other Imagine Schools in Nevada", supplying instead, a comparison to "average commercial lease rates" in the second highest vacancy rate submarket of Las Vegas (30%) and a negative year-to-date net absorption rate.

[The Authority did, however, research the accuracy of the data in the irrelevant CMA by:

- 1. Reviewing Colliers International's Las Vegas Quarterly/Third Quarter 2012 report. It is consistent with the Grubb & Ellis CMA supplied by the Committee in showing the NW submarket of LV as the highest overall vacancy rate (30%), nearly doubling the overall Las Vegas vacancy rate of 16.1%.**
- 2. Discussing the Colliers report with Mike Mixer, Colliers International, Las Vegas Managing Partner, who confirmed the accuracy of our understanding of the report which states that "Southern Nevada's office market is, by most indications, bouncing along the bottom...more properties are moving through foreclosure and returning to active participation in the market. This injection of "new" space onto the market should keep values (rental rates and sales prices) depressed for the foreseeable future."]**

Please see analysis of existing charter school lease rates within the geographic region of Clark County.

[In conclusion, as related to securing an appropriate facility, the Committee has not demonstrated an understanding of, or the ability to satisfy, either its fiduciary responsibility to the citizens of Nevada or its responsibility to remain managerially independent of the EMO proposed in this application:

- The proposed lease expenditures included in the budget are excessive when compared to costs for existing public charter schools in the Clark County region, leaving a smaller percentage of taxpayer funds available for teaching and student learning.**
- The excessive costs are driven by a proposed facility that is larger than necessary. It currently houses over 700 students. The Committee's application states that enrollment will never exceed 525 students, with 375 projected in FY14 & 450 projected in FY15.]**

The Imagine Schools Inc. lease for furniture and equipment (@\$750/student in year 2, term of 4 years) was proposed as a "4 year depreciable capital lease, no buyout."

- a. The budget did not appear to accurately reflect the cost of the lease**
 - i. No cost in year 1 and year 2 total (\$87,500) represents 116.66 students at \$750/student.**
 - ii. More detail is needed to understand if the proposed lease is an operating lease (the school does not own the asset at lease end) or a capital lease (the school would own the asset at lease end).**
 - 1. Does "no buyout" mean that the buyout amount is zero, or that the lease cannot be bought out?**
 - iii. Please revise the application to clarify the above concerns.**
- b. In the resubmitted application, please provide evidence of the Committee's work to ensure**

- i. That this transaction complies with NRS Chapter 332, the Local Government purchasing Act. Article III (D) of the Draft Contract with Imagine Schools submitted as Attachment B.3.1.3 reemphasizes the requirement of responsible stewardship of State funds demonstrated through the competitive bidding process.

[In the resubmitted application, the Committee states that “Imagine Centennial will adhere to a similar process” to Imagine International at North Texas’ RFP for the purchase of furniture and equipment “to ensure that the school receives the best value and best quality of products.” However, to ensure financial viability of Imagine Centennial, the budget remains reliant upon free financing for one year from Imagine Schools, Inc. for the resultant 4 year vendor capital lease or Imagine Schools, Inc. sublease.]

- ii. That the requirement of Article III (D) of the Draft Contract with Imagine Schools submitted as Attachment B.3.1.3, that “IMAGINE agrees not to add any fees or charges to the cost of equipment, materials or supplies purchased by IMAGINE on behalf of the BOARD, except interest charges if the purchases are financed pursuant to an equipment lease or equipment use agreement.” has been satisfied with respect to the lease for furniture and equipment.

[The structure of, and supporting documentation of, a capital lease with a vendor or sublease with Imagine Schools, Inc. will need to demonstrate that this clause has been satisfied.]

The contingency plan appeared solely reliant upon Imagine Schools Inc. to ensure sustainability of the school. Please amend this section to include contingency plans not associated with Imagine Schools, Inc should Imagine Schools, Inc not provide contingency funding, the possibility of which is described in Article III (A) of the Draft Contract with Imagine Schools submitted as Attachment B.3.1.3.

[Article III (A) of the Draft Contract with Imagine Schools submitted as Attachment B.3.1.3 appears to still represent a risk for which no contingency plans have been made.]

Performance Record

Analysis

Imagine Schools, Inc did not meet criteria for recommendation of approval because the EMO did not provide relevant evidence of educational and management success. The track record of operational and academic success of Imagine Schools Inc. nationally and here in Nevada is in question.

Imagine Schools Inc. reports having seventy-one charter schools in thirteen states. Although some Imagine Schools Inc. charter schools are performing well academically, there are just as many Imagine Schools Inc. charter schools performing below average academically. For example, Missouri Department of Education closed all six of their Imagine Schools Inc. schools due to academic and fiscal issues. The explanation provided in the application appeared to be that Imagine Schools Inc. attempted to resolve the “problem” in February 2011, four years after many of the campuses opened.

There are two charter schools currently in Nevada that contract with Imagine Schools Inc. —100 Academy and Imagine Mt. View.

The 100 Academy opened in 2006. Student population is predominately African American with a high percentage of economically disadvantaged students. Neither the elementary school nor middle school made AYP for 2011-2012 with an elementary school designation of In Need of Improvement Year 3-Hold and a middle school designation of In Need of Improvement Year 2-Hold. In terms of growth data, the elementary and middle school ranked respectively in the 32nd percentile and 52nd percentile in Reading and in the 45th and 42nd percentile in Math. The school also has a long history of core subjects being taught by an exceptionally low percentage of highly qualified teachers; in some cases, 100% of teachers in core subjects were not highly qualified.

Imagine Mt. View opened in 2011 with a fairly evenly mixed student population of African American, White, and Hispanic. Because the school opened as a K-2 school, there is no state academic accountability report available for 2011-2012 school year; however, the percentage of classes taught by highly qualified teachers was higher than the 100 Academy. It is too early to speak with much certainty about the outcomes of Imagine Mt. View, more time is needed for Imagine Mt. View to demonstrate success.

Quest Academy Preparatory Education formerly contracted with Imagine Schools Inc., but broke from them in 2011.

Overall the existing academic track record is not compelling.

[See attached for detail]

- [With the exception of year one (2006-2007), Imagine 100 Academy ES/MS has not made AYP.
- Under the new Nevada Performance Framework, 100 Academy ES has been designated as a Focus elementary school

- Focus elementary schools are the lowest performing schools based on the NSPF index points for the “subgroup” calculations for adequate growth percentiles (AGP) in reading and math
- 2011-2012 AGPs for 100 Academy ES
 - In reading is below the 25th percentile
 - In math is below the 5th percentile
- 2011-2012 AGPs for 100 Academy MS
 - In reading is at the 25th percentile
 - In math is below the 25th percentile
- 2011-2012 Median Growth Percentiles (MGP) for 100 Academy ES
 - In reading is at the 25th percentile
 - In math is below the 5th percentile
- The 2011-2012 MGPs and proficiency scores placed 100 Academy ES in the lower growth and achievement quadrant for both reading and math.
- 2011-2012 Median Growth Percentiles (MGP) for 100 Academy MS
 - In reading is below the 75th percentile
 - In math is below the 75th percentile
- The 2011-2012 MGPs and proficiency scores placed 100 Academy MS in the high growth but lower achievement quadrant for reading and the higher growth and achievement quadrant for math.
- For 2011-2012, Clark County School District designated 100 Academy ES as a two star school.
 - 14% of Clark County elementary schools were designated as two star schools; 31% were designated as three star schools; 21% were designated as four star schools; 34% were designated as five star schools. There were no elementary schools designated as one star schools.
- For 2011-2012, Clark County School District designated 100 Academy MS as a three star school.
 - 19% of Clark County middle schools were designated as two star schools; 63% were designated as three star schools; 18% were designated as four star schools. There were no middle schools designated as one star or five star schools.
- For the 2006/2007 to 2011/2012 school years, the average percentage of classes not taught by highly qualified teachers in Nevada elementary schools was 8.1%. For 100 Academy ES the average percentage of classes not taught by highly qualified teachers was 44%.
- For the 2006/2007 to 2011/2012 school years, the average percentage of classes not taught by highly qualified teachers in Nevada middle/high schools was 12%. For 100 Academy MS the average percentage of classes not taught by highly qualified teachers was 28%.]

Imagine Schools Inc. has come under scrutiny nationally as well as here in Nevada. An April 6, 2010 Las Vegas Sun article entitled [Charter School Families Find They Have Little Say Over Company](#) stated, “The concerns of the Valle community are familiar refrains involving Imagine Schools. Similar complaints about exorbitant fees for management services, high rent and lack of local control by the governing board have surfaced at 100 Academy, as well as campuses in other states.” The proposed lease appears consistent with problematic lease agreements at other schools contracting with Imagine (typically through Imagine Schools Inc. affiliate School House Finance).

Technical Revisions

Please submit as an attachment to the resubmitted charter application the Imagine Schools' Academic Growth Plan.

[Submitted]

Evidence of Capacity

Analysis

The Committee to Form Imagine Centennial did not appear to have the capacity to oversee the successful development and implementation of the education program as presented; to oversee the effective and responsible management of public funds; and to oversee and be responsible for the school's compliance with its legal obligations.

The Committee did not appear to have conducted due diligence in their selection of Imagine Schools Inc. as the EMO. The application included a number of reasons and criteria upon which the Committee selected Imagine Schools Inc.; however, in the Capacity Interview no members of the Committee were able to speak to specific services they would receive from the EMO, other than general reference to "infrastructure", "tools to make the charter successful", "development of staff", and "fund the cost if the Committee to Form does not". Additionally, no Committee members were able to speak to or specify the costs (administrative allocation or otherwise) stated within the contract.

The Committee also cited that a benefit of the relationship was that Imagine would provide the lease – "a big part of this is the lease that Imagine will provide". Confusing the management contract between Imagine Schools Inc. and the school with the lease was troubling especially in consideration of the publicity related to Quest Academy (e.g., "Battle Rages Between Charter School and Management Company" Las Vegas Sun, June 30, 2011 and "Charter School Families Find They Have Little Say Over Company" Las Vegas Sun, April 2, 2010). That the Committee was apparently unaware of this history and the proposed higher than average lease costs, and the lack of thoughtful analysis of the lease was troubling.

[The resubmitted application reinforces this notion.]

Neither the application nor the Capacity Interview left the Review Team with the confidence that the Committee fully understood their duties and responsibilities as public servants.

Technical Revisions

None, see above

Clark County

Leases	Enrollment 12/13	Annual rent	Square Feet	Square Feet per Student	Cost per student annually	Percentage of per pupil revenue	Multi-campus average %age of PPR
Imagine Centennial FY14	375	\$420,000	37,234	99	\$1,120	18%	
Imagine Centennial FY15	450	\$588,000	37,234	83	\$1,307	21%	
100/Academy	670	\$1,072,000	50,428	75	\$1,600	26%	
Quest Grand Montecito	715	\$552,000	37,234	52	\$772	12%	12%
Imagine Mtn. View	332	\$229,552	13,886	42	\$691	11%	
Coral LV Sandy Ridge	1,324	\$696,000	41,000	59	\$526	8%	8%
Coral LV Tamarus	"	\$292,137	12,940				
Coral LV Windmill	"	\$300,000	24,521				
Silver Sands	277	\$210,840	18,000	65	\$761	12%	
Discovery 8941 Hillpointe	319	\$80,232	5,184	48	\$252	4%	4%
Discovery - Mesa Vista	"	\$55,832	6,553				
Discovery	"	\$55,680	3,600				
Somerset NLV	1,795	\$1,150,800	62,500	52	\$641	10%	10%
Somerset Emerson	"	\$251,460	19,000				
Somerset Oakley	"	\$174,000	12,500				
Pinecrest	763	\$811,860	46,932	62	\$1,064	17%	
Average Clark County, excluding 100 Academy & proposed Centennial							
SSHS	427				\$0	0%	
NSHS	226	\$91,897	5,607	25	\$407	7%	
NVVA	4,567	\$190,098	8,563	2	\$42	1%	
NCA	1,568	\$54,000	6,000	4	\$34	1%	
Beacon - Flamingo	777	\$168,851	11,726	18	\$217	4%	4%
Beacon Reno	"	\$27,419	1,929				
Elko	146	\$121,686	11,284	77	\$833	13%	
Alpine	120	\$130,441	13,936	116	\$1,087	18%	
Oasis	181	\$133,920	12,400	69	\$740	12%	
Honors	121	\$100,000	17,500	145	\$826	13%	

Imagine 100 AYP designations

2006-2007	first year of operation			
ES	Yes	Adequate		501 total enrollment
2007-2008	second year of operation			
ES	No	Watch		634 total enrollment
MS	No	Watch		
2008-2009	third year of operation			
ES	No	INOI Year 1		601 total enrollment
MS	No	Watch		
2009-2010	fourth year of operation			
ES	No	INOI Year 2		490 total enrollment
MS	No	INOI Year 1		
2010-2011	fifth year of operation			
ES	No	INOI Year 3		374 total enrollment
MS	No	INOI Year 2		
2011-2012	sixth year of operation			
ES	No	INOI Year 3 hold		558 total enrollment
MS	No	INOI Year 2 hold		

To be designated as INOI a school must fail AYP in two consecutive years in the same subject area or in the Other Indicator. A school must successfully pass the associated AYP criteria for two consecutive years before the INOI designation can be removed—two consecutive years in the applicable content area.

School Year	Grade Level	ELA	Safe Harbor	Math	Safe Harbor
2006-2007	ES	Appealed	NA	Appealed	NA
	MS	Appealed	NA	No	No
2007-2008	ES	No	No	No	YES
	MS	Appealed	NA	No	No
2008-2009	ES	No	No	No	No
	MS	No	No	No	YES
2009-2010	ES	No	No	No	YES
	MS	No	No	No	No
2010-2011	ES	No	No	No	YES
	MS	No	No	No	YES
2011-2012	ES	No	YES	No	No
	MS	No	YES	No	YES

Safe Harbor is a decrease of at least 10% in the percentage of non-proficient students from the previous school year.

Growth Data

Under the new Nevada School Performance Framework, Imagine 100 Elementary school has been identified as a Focus school. They have been designated as having the largest within-school gaps between the highest-achieving subgroup(s) and the lowest-achieving subgroup(s).

To be identified as a Focus elementary school, a school must be among the lowest performing schools based on the NSPF index points for the “subgroup” calculations for Adequate Growth Percentiles in reading and math in the current year. The gap analysis methodology is intended to identify the schools whose students are failing to meet AGPs, failing to improve upon subgroup proficiency rates, and failing to get students “on-track” to proficiency.

Nevada Growth Model—Nevada Department of Education Website

School Level	Median Student Growth		Adequate Student Growth	
	Reading	Math	Reading	Math
Elementary—2010/2011	31	46	NA	NA
Elementary—2011/2012	44	31	42%	33%
Elementary FRL—2011/2012	41	31	41%	33%
Elementary Af. Am.—2011/2012	44	31	41%	33%
Middle School (6-8)—2010/2011	52	42	NA	NA
Middle School (6-8)—2011/2012	52	51	29%	15%
Middle School FRL—2012-2012	51	51	25%	15%
Middle School Af. Am.—2011/2012	52	49	25%	15%

SGP is norm-referenced and provides a comparative context in which to understand performance. It is the extent to which the student has made academic progress relative to similar scoring peers.

AGP is criterion-referenced and is essential to assessing whether or not students are on track to attain and maintain proficiency. Growth to a standard allows for expectations of progress to be individualized to the unique performance pattern of each student.

Table 2.B.3 Elementary School “All Student” Point Values for Percentages Meeting AGP (p. 81 ESEA waiver)

Reading	Criteria	Points	Mathematics	Criteria	Points
% Meeting AGP	< 35%	2	% Meeting AGP	< 34%	2
	≥ 35% & < 48%	4		≥ 34% & < 46%	4
	≥ 48% & < 68%	6		≥ 46% & < 66%	6
	≥ 68% & < 79%	8		≥ 66% & < 79%	8
	≥ 79%	10		≥ 79%	10

Table 2.B.4 Middle School “All Student” Point Values for Percentages Meeting AGP (p. 81 ESEA waiver)

Reading	Criteria	Points	Mathematics	Criteria	Points
% Meeting AGP	< 16%	2	% Meeting AGP	< 14%	2
	≥ 16% & < 29%	4		≥ 14% & < 27%	4
	≥ 29% & < 49%	6		≥ 27% & < 42%	6
	≥ 49% & < 57%	8		≥ 42% & < 53%	8
	≥ 57%	10		≥ 53%	10

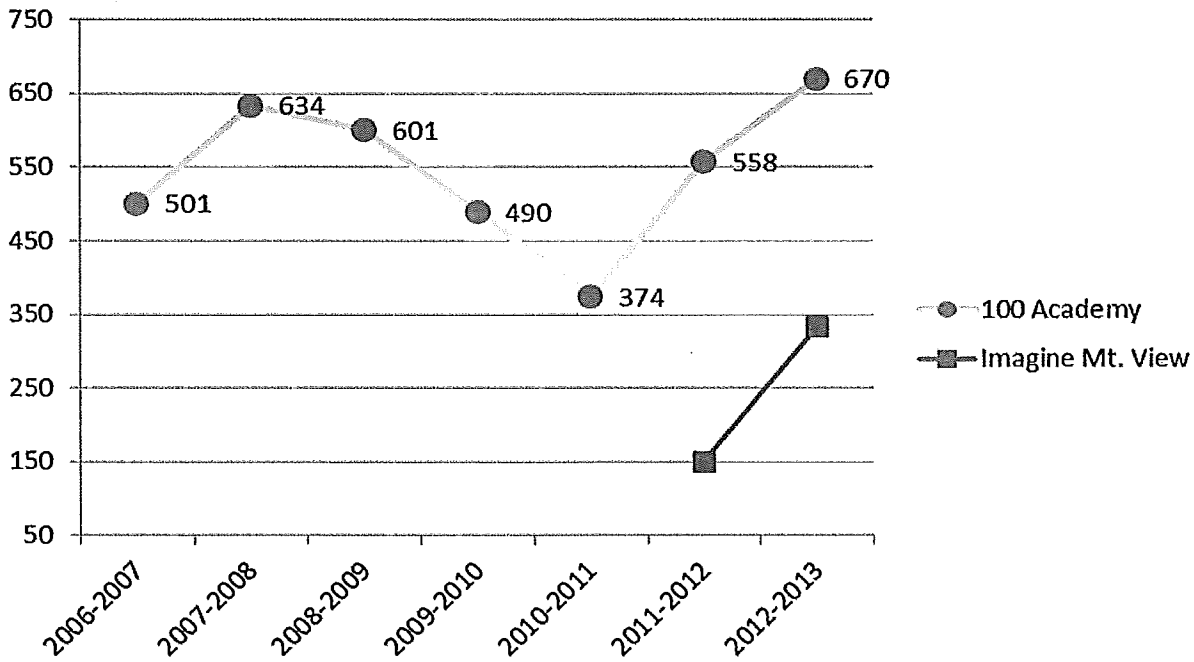
Table 2.B.5 Elementary School “Subgroup” Point Values for Percentages Meeting AGP (p. 82 ESEA waiver)

Reading	Criteria	Points	Mathematics	Criteria	Points
FRL % Meeting AGP	< 31%	2	FRL % Meeting AGP	< 30%	2
	≥ 31% & < 43%	4		≥ 30% & < 42%	4
	≥ 43% & < 61%	6		≥ 42% & < 59%	6
	≥ 61%	8		≥ 59%	8

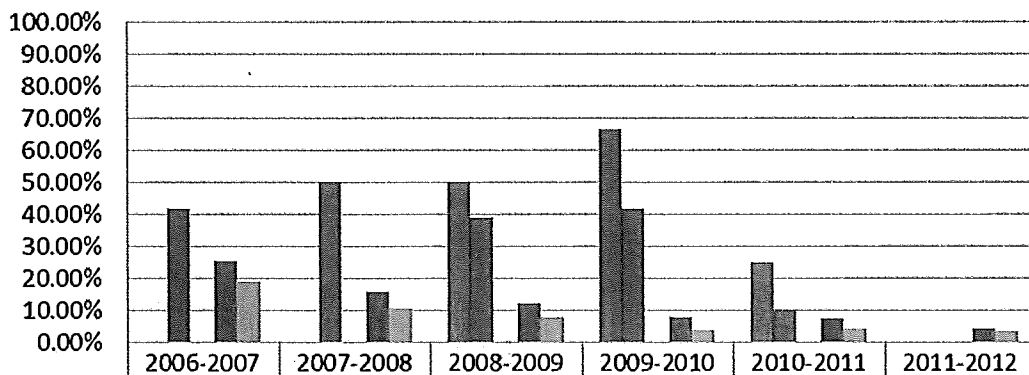
Table 2.B.7 Middle School “Subgroup” Point Values for Percentages Meeting AGP (p. 83 ESEA waiver)

Reading	Criteria	Points	Mathematics	Criteria	Points
FRL % Meeting AGP	< 18%	0	FRL % Meeting AGP	< 13%	0
	≥ 18% & < 26%	1		≥ 13% & < 25%	1
	≥ 26% & < 36%	2		≥ 25% & < 37%	2
	≥ 36%	3.33		≥ 37%	3.33

Imagine Schools in NV--Student Enrollment

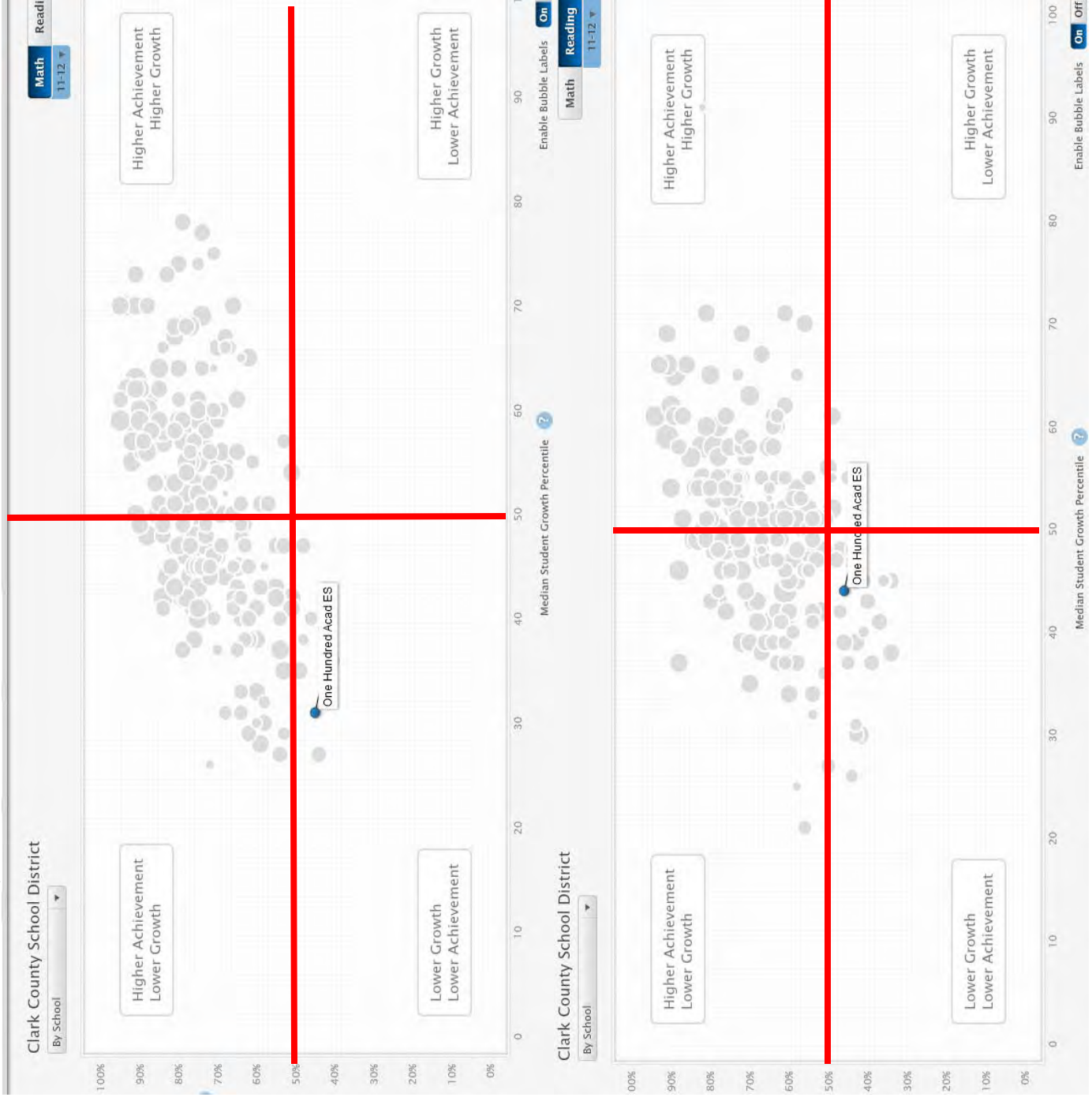


% of classes not taught by highly qualified teachers



	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012
100 Academy MS	Not open	0.00%	50.00%	66.70%	25.00%	0.00%
100 Academy ES	41.70%	50.00%	39.10%	41.70%	10.00%	No data
Imagine Mt. View ES	School not opened until 2011-2012. HO data not available.					0.00%
State of NV MS/HS	25.20%	15.60%	12.20%	7.90%	7.50%	4.30%
State of NV ES	18.80%	10.50%	7.90%	3.90%	4.20%	3.30%

One Hundred Academy ES



One Hundred Academy Middle School

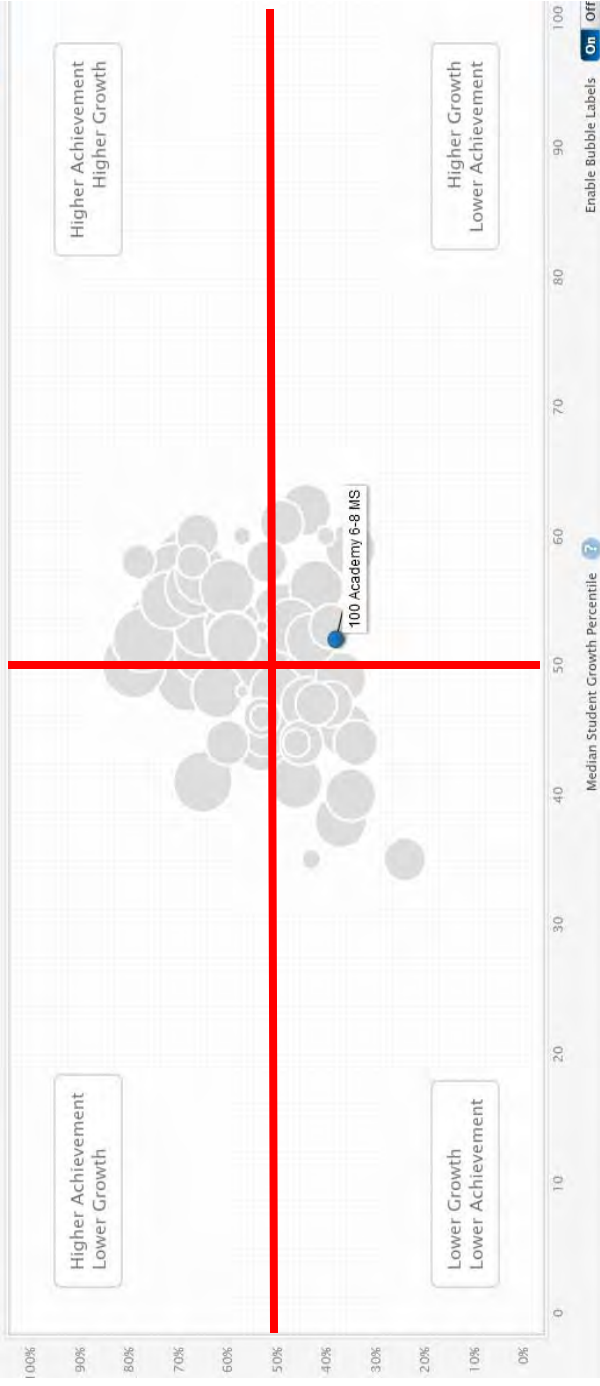
Clark County School District

By School

Math

Reading

11-12



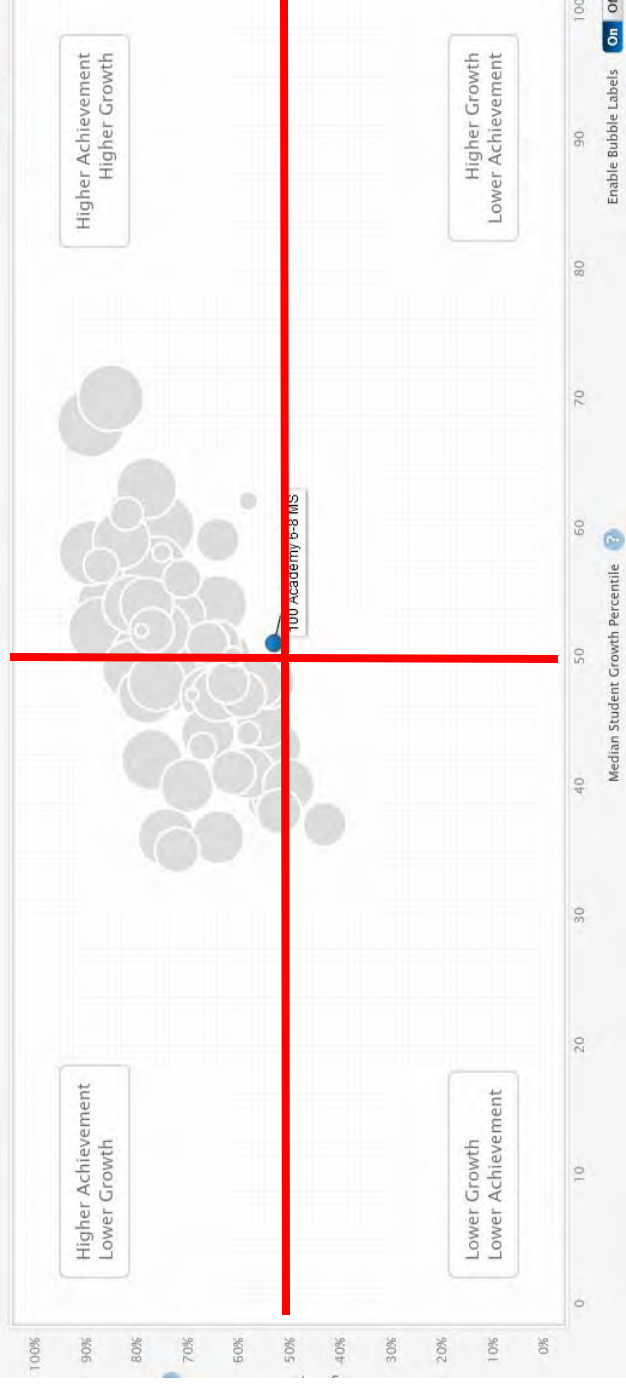
Clark County School District

By School

Math

Reading

11-12



STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

S U B J E C T: Consideration regarding the
Application Review Team's recommendation of
Legacy International College Prep Academy's
charter school application

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: January 8, 2013

AGENDA ITEM: 14

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Steve Canavero, PhD, Director, SPCSA

RECOMMENDATION: Deny - Significant application deficiencies were found which cannot be remedied without major revisions that would significantly alter the nature of the application

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 30 mins

BACKGROUND:

SUBMITTED BY: _____

Legacy International College Prep Academy

Resubmission

Recommendation

Overall Recommendation

- ***Deny: Significant application deficiencies were found which cannot be remedied without major revisions that would significantly alter the nature of the application.***

Summary of Section Ratings

Rating options for each section are Meets the standard; Approaches the standard; Does not meet the standard

Section 1. Education Program Design

- Does not meet the standard

Section 2. Operations Plan

- Does not meet the standard

Section 3. Financial Plan

- Does not meet the standard

Section 4. Performance Record

- Approaches the standard

Section 5. Evidence of Capacity

- Does not meet the standard

Education Program Design

Analysis

The Education Program did not meet the criteria for approval because the plan was not adequately developed to determine whether the model could be successfully implemented.

The Capacity Interview helped clarify the Committee's and Educational Management Organization's most recent thinking regarding the number of curriculum providers and the manner by which the different platforms would coordinate for the benefit of students. ~~However, further development was needed in this area and the application must reflect the intended curriculum and management thereof.~~ **[Applicant indicates that the chosen curriculum provider would be Connections Distance Education Program.]**

Many of the educational as well as organizational goals identified in the application did not meet the SMART stipulation. Further refinement of the goals would be needed in order to measure the program's success with students. **[There are still numerous concerns regarding the educational goals section. Please see attachment.]** The Review Team suggested revisiting the entire section that addresses how Legacy would serve Special Student Populations.

The idea behind Legacy, to provide student athletes and other high-level student performers with a top-notch college preparatory education while allowing them the flexibility to pursue their talents, is commendable. The applicants' provision of information on the number of such students present in Nevada was helpful and appeared to indicate that there is a potential need for an educational model of this type. The Committee is encouraged to further refine their understanding of the school and develop an application that more clearly articulates the Education Program.

Technical Revisions

The academic plan was not adequately developed; therefore it was impossible to determine whether teachers and students could successfully implement the model. Key elements of the educational plan were unclear, including:

- ~~• How teachers would monitor and manage the instruction of students taking so many different courses and likely working at different paces.~~
- What exactly the 19-20 hours of weekly face-to-face instruction would entail. In some portions of the application it appeared that students would primarily be working on their computers independently even when in the physical school building. The schedule for small and whole group instruction was described as 'impromptu,' raising concerns about whether this instruction would be relevant to all students and of high quality. **[Resubmission created more questions concerning the 19 hours. Please see attachment.]**
- Why the founding team was requesting a K-12 charter when they are unsure whether the model will work for grades K-3. **[The new submission reflects a 4-12 charter, but the title page still reflects a K-12 charter.]**

- Significant revisions to the Goals/Objectives are needed. In addition to the SMART stipulation mentioned above:
 - Objectives 1 and 2 need to split into elementary and high school.
 - Management and organizational goals are disconnected from evaluation instruments. **[Please see attached detail.]**
- Alignment of elements in the educational plan, such as weekly public speaking assignments, were mentioned but not accommodated within the school's described schedule. **[This is addressed as an educational goal (#8), but public speaking assignments are not addressed in the education plan or schedule.]**
- The data management system has not been fully developed and is currently missing many of the functionalities that would make it truly useful. **[Resubmission indicates the school would use the learning management system provided by the Connections Education curriculum and the Legacy Tracking System; however, the Legacy Tracking System is still under construction and how it would interface with the Connections learning management system and whether either of the tracking systems would be compatible with SAIN is still a concern. It is clear that the Legacy Tracking System is not PowerSchool.]**
- ~~No discussion of how students with differing schedules would be accommodated was included, yet the application did not make the assumption that all students would be coming from the same athletic group. Also, given the blended learning approach the school would use, it was unclear whether students who travel frequently for their sport/activity would be able to be served by the school. [It is still unclear how the blended learning model would benefit student athletes who would be traveling frequently.]~~
- ~~The curriculum section lacked clarity in that many providers were mentioned. It appeared that the Committee was exploring the use of these and perhaps other providers of distance education. A clear plan for determining suitability of specific providers or an evaluation plan to determine the effectiveness of potential provider(s) is lacking. [Committee has chosen Connections Distance Education Program.]~~

[A number of attachments were added to the resubmission where the application asks for a narrative not an attachment; however, the attachments do not explain or take care of the concerns regarding instructional strategies and professional development.]

[The application format was incorrectly followed. For example, extraneous material precedes A.1.1. Also, many "attachments" identified in "Attachments A" are inappropriate and not called for, for example, "Attachment A.2.2.A." Furthermore, no tabs (except for six, two of which have nothing behind them) assist the reader in review of the application.]

The discipline policy was incomplete; no consequences were spelled out. Later in the document Required Elements A.6.3, A.6.4, and A.6.5 are simply a copy and paste of the NRS. The application should address implementation of the NRS, not simply restating the NRS Please remove references to Clark County School District.

[Current Bullying Policy makes reference to the Pennsylvania Public Schools.]

[A.7.6: According to the Cover Sheet the school would be "non-at risk." It's not clear why an answer was given to A.7.6.]

A.8 Special Student Populations requires significant revision

- Required Element A.8.2 – ~~RTI is for non-Special Education students. IEP's drive the curriculum, accommodations, and/or modifications of your Special Education students. The model provided is great for all other non-Special Education students.~~
- Required Element A.8.3 (partially found in Required Element A.8.1 page 33): It is not feasible to hire one NV licensed Special Education teacher to instruct the 10% projected Special Education enrollment of 27 students AND be in charge of 504, GATE, ELL programs AND work with the RTI consultant to implement Legacy's RTI Model. Please refer to NAC 388.150. The school will need to hire a minimum of 1 ½ NV licensed Special Education teachers just to instruct and be case managers of their assigned students if the majority of your Special Education students have an eligibility of Severe Learning Disability. If the school has an increased number of low incident eligibilities enroll, then these students will need increased Special Education services and specialized instruction. The school would need to adhere to NAC 388.150 guidelines and probably have to hire more Special Education teachers. Please revise the education plan for Special Education, GT, ELL, and Special Needs students.
- ****NOTE:** RTI is a general education initiative, NOT a Special Education intervention or flowchart. RTI interventions are used BEFORE a student is referred for an evaluation to determine if a student is eligible for Special Education services. This reviewer is concerned that the Committee to Form does not understand RTI and Special Education. They are not synonymous terms.
- Required Element A.8.3, Budget – No breakdown of budget was provided at this time. It needs to account for at least 1 ½ Special Education teachers, Sp. Ed. supplies, Contracted Services, and Transportation.

[Required Element A.8.3, pages 56 – 57 did not have any transportation costs budgeted for Special Education students who's IEP might require reimbursement. You mention that these services might be needed on page 142 "paraprofessional support services (e.g. a special transportation paraprofessional for a child whose behavior is hazardous on the school bus, or an Orientation and Mobility paraprofessional to guide a student who is visually impaired)". Nor was there mention of the cost of contracted services for Speech Therapy, OT, PT, Special Education paraprofessional, Orientations and Mobility Specialist, AT Specialists, etc... Connections Distance Education Program does not include related service personnel as part of their curriculum.]

- Required Element A.8.4, page 36 – ~~A Special Education continuum of service delivery model is NOT the RTI model.~~
- Required Element A.8.5 – ~~Special Education Policy Assurance Document does not have all 14 boxes "checked". Please revise.~~

- Required Element A.8.6, Attachment A.8.6 (labeled incorrectly as A.8.1), pages 80-81 – ~~No RTI referral packet provided. The document provided was the steps a Special Education case manager would follow to obtain Special Education student records and review them. It has nothing to do with the RtI process or referral packet. Please refer to the SPCSA’s Charter School Application Packet Appendix 4 for an example. Please revise. The additional Appendix C Model RTI model flowchart at the back of the application was a good RTI flowchart. Please put it in the corrected section if it is to be used the Required Element A.8.6 flowchart.~~
- Required Element A.8.7, Attachment, page 81 – Flowchart is in wrong order. It either was typed incorrectly or when increased in size, words changed around in the wrong place. The flowchart in additional Appendix O has a corrected version. If the application chooses to use this one, it should be put in the correct place in the application. Please revise. It looks as though pages 82 – 84 were copied from the Fulton City School District’s Special Education Manual. Please revise by removing references to Fulton City School District and BOCES classes and develop The Legacy Academy’s own Special Education Manual.

[This section of the application appears to be cut and pasted from another source and was not tailored for this particular Charter School. Evidence of this is again on page 142 where your application states “Other support services which can be provided to children throughout the full range of placements in the Continuum.....travel training and toilet training”. Nowhere in the budget are these expenditures for personnel and supplies detailed and accounted for. These are very specific expenses that need to be planned out now if your school is offering a full continuum of services. Again, Connections Distance Education Program does not provide for these types of services in their curriculum. On page 143 there is no reason to list Clark County School District as an environment that delivers special class services. On page 143 – 144 your application goes into specific detail of self-contained classroom ratios between students, Special Education Teachers, and paraprofessionals. These programs will need to be accounted for in your budget, not developed after the students enroll.]

An alternative schedule application would need to be submitted to and approved by the State Superintendent of Public Instruction.

Operations Plan

Analysis

The Operations Plan did not meet criteria for approval because the application failed to correctly identify the kind of school based on the grades that would be served during the first year of operation nor included a staffing plan that appeared viable and adequate for effective implementation of the proposed education program.

The Committee was applying for a school to serve grades K-12, but openly admits that the model may not be suited for younger students. The Review Team commended the Committee's honest assessment but would have liked to see the Committee provide a thoughtful strategy to address potential areas of weakness for younger students or deliver an application that clearly identified the grades for which the Committee believes the model to be well suited.

[It appears the application has been amended to grades 4-12, but the coversheet still shows K-12]

Very little information was provided on the hiring process or desired qualifications for the "highly qualified" staff. Given the complexity of the model, the lack of clear pipelines of talent, and the fact that teachers would be working with students in multiple grade configurations, clear recruitment and retention strategies should be developed.

[There appears to be no changes in the resubmission to section B.4 concerning staffing. This concern has not been addressed. "All faculty and staff members employed by the School will possess the personal characteristics, knowledge base of and belief in the educational and curriculum design as described in this proposal, as well as an ability and motivation to work as part of a team with parental involvement." (p. 74)—Qualification of instructors states "certificate or training in online and hybrid teaching will be a plus." (p. 75).]

Similarly, the information provided on policies and procedures relied heavily on assurances of future compliance rather than proof of work done toward these goals.

Critical attachments did not contain an adequate level of detail to enable the Review Team to determine whether the suggested school would be able to operate properly. For example, the organizational chart lacked clear lines of authority, making it difficult to determine who would be responsible for which employees. It is unclear why the creation of an EMO is necessary at this time and no clear growth plans were put forth.

Technical Revisions

The application lacks a strong statement clarifying that board member suggestions/nominations will originate with board members, not the EMO or school administrator. B.1.4, P. 39

[The new language added to Narrative B.1.4 (p. 61) does not satisfy reviewers' concerns about the source of board member nominations. It still appears the board was "chosen" by the EMO. Additionally, contrary to the applicants' statement that the board is "enthusiastic," it does not appear

to be so, given the poor showing by committee members at the capacity interview, SPCSA Board meeting at which the application was considered, and the technical assistance phone conference. The reference to monthly board meetings too seems odd given the poor record of participation by the board referred to above.]

The dispute resolution method incorrectly references the NDE. B.3.5, P. 42

No complete description of the lottery system was found. B.3.7, P. 43

Bylaws revisions are required:

- ~~Required Element B.1.3, identification of bylaw stipulations, was not found.~~
- ~~Art. 1.2: Delete "if they approved the charter."~~
- ~~Art. 7.3: The last two sentences regarding check signature authority appear to conflict with each other.~~

The EMO contract says it will "coordinate obtaining financial (private and public) loans". ~~Board bylaws conflict with this as they say there will be "no loan".~~

~~The Committee may want to rethink the check signing threshold of \$1,500. While the board wants to maintain fiscal control, it may not want to call a Board meeting every time recurring expenses are due.~~

Financial Plan

Analysis

The Financial Plan did not meet criteria for approval because the application failed to demonstrate an understanding of the school's financial management obligations nor presented a budget that supported key parts of the school's plan. Some line items did not match the education plan, and no narrative explanation was provided. For example, the school projected 120 students during its first year of operation, and intended to hire only 4 teachers who would perform small/whole group instruction on an "impromptu" basis, it budgeted for 8 smartboards.

[The staffing plan indicates the school would hire 4 teachers, 4 paraprofessionals, 1 principal, and 1 office manager for 120 students (p. 74). "Teachers will be paid salaries commensurate with their experience and comparable to the local school district (p. 74)."]

The salaries listed for teachers, at \$25,000 were inadequate even for part-time instructors given the variety of grade levels and the certain complexity of tracking student progress. The \$5,000 listed for tutors was unrealistic. The budget assumed that facilities would be available for free, but no letter of commitment from any partner agency was provided. The budget failed to provide any allotment for substantial expenses such as insurance.

[On page 80 the \$25,000 is crossed out in the resubmission; however, there is nothing provided in the narrative or in the budget to indicate how much teachers will earn, how much the paraprofessionals will earn, or how much the principal and office manager will earn.]

No insurance or rent expense was included on the cash flow statement. Outside revenue was not budgeted for or included as cash flow. DSA did not account for kindergarten (60% of basic support). State Fee should be 1 ½ %, currently shown as \$960.00 which is less than 2/10ths of percent. If outside revenue had been calculated correctly, the fee would be \$11,316.60.

The number and depth of mistakes in the budget as well as the lack of internal alignment with the proposed education and operations plan undermined the Review Team's confidence in the proposed school.

Technical Revisions

Year 1 results include a projected beginning balance of either \$48,000 or \$50,000, depending on the source, \$48,000 stated in the pre-opening budget, \$50,000 from the FY14 cash flow statement. In either case, the \$80,000 pre-opening donation from the Darling Tennis Center is not documented as a secure commitment from DTC.

Resubmitted Cash Flow Statements include \$50,000 unsubstantiated donations in each year, the absence of which would make the school financially unviable.

Mention is also made of potential fundraisers, seeking donations from local organizations, salary reductions from already low salaries and requesting the principal and teachers to work without pay for periods of time, none of which appear to be sound business practices.

The budget presents the Head of School as .5FTE and states the person will serve as a substitute. This arrangement does not appear viable to support the myriad of duties belonging to the Head of School.

[There is nothing in the resubmitted budget to indicate that the head of school will be .5FTE. There is nothing in the budget sheets or in the narrative to determine the salaries for staff and faculty.]

Expenses are missing from the budget (e.g., facilities, insurance).

Mistakes in budgeting indicate a lack of understanding of the importance of school finance and accounting. The Committee is advised to consult with an accountant to develop a thorough and viable plan to support the proposed school.

Performance Record

Analysis

Legacy Innovations International did not provide compelling evidence of the company's educational and management success. The application relied upon the personal success of Dr. Grubaugh and Dr. Levitt (the principals of LII) in somewhat related endeavors as a proxy for the EMO's track record. Further, the application included a reference to a parent's testimony but the testimonial itself was not provided.

LII appears to be spun off from the Legacy International College Prep Academy pilot program and the Darling Tennis Center Junior Athletic Program. Unfortunately, despite the advantages of having run a year-long pilot, the application failed to capitalize on the potentially rich data available and did not contain much information regarding how qualitative findings would be incorporated into the model. Likewise, despite more than 20 students participating in the pilot program, meaningful quantitative data was not included. The information provided by the applicants with regard to the performance of the students in the pilot program was anecdotal at best, and so unclear as to be nearly useless in attempting to determine the efficacy of the academic program and LII prior success.

Technical Revisions

None, see above.

Evidence of Capacity

Analysis

While members of the Committee have strong professional experience and training, the insular nature of the Committee, which appears to primarily be a group of the founders' (and EMO principals') friends and colleagues, calls into question the ability of the future board to fulfill its obligations, most notably, holding LII accountable.

[Capacity of the Committee: The membership of the Committee has not changed; it still consists of Meckley, Banks, Troutman, Edwards and Krametbauer.]

Compounding this issue was the Capacity Interview which was attended by only one member of the Committee. It was impossible to understand the Committee's knowledge and understanding of the application and due diligence in the selection of LII as the EMO.

Numerous material deficiencies in the application called into question the Committee's ability to found and sustain a quality charter school and Legacy Innovations International's ability to consult with a Committee to assist in the development of a viable program.

Technical Revisions

The application fails to articulate a picture of the school after its first year. Developing a long-term vision is recommended.

The role played by the EMO in the development of the application is unclear. The failure of all but one of the Committee members to attend the capacity interview, and the failure of all the Committee members to attend the October 2012 SPCSA meeting indicates a lack of engagement by the Committee in the application process.

[The resubmission failed to follow formatting directions, making it difficult to read.]

[Only page 1 of the Assurances were found in the resubmission; the Assurances were not signed.]

STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

S U B J E C T: Consideration of the Application
Review Team's recommendation of Sterling
Charter High School North's charter school
application

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: January 8, 2013

AGENDA ITEM: 15

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Steve Canavero, PhD, Director, SPCSA

RECOMMENDATION: Deny - Significant application deficiencies were found which cannot be remedied without major revisions that would significantly alter the nature of the application

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 30 mins

BACKGROUND:

SUBMITTED BY: _____

Sterling Charter High School North

Resubmission

Recommendation

Overall Recommendation

- ***Deny: Significant application deficiencies were found which cannot be remedied without major revisions that would significantly alter the nature of the application.***

Summary of Section Ratings

Rating options for each section are Meets the standard; Approaches the standard; Does not meet the standard

Section 1. Education Program Design

- Approaches the standard

Section 2. Operations Plan

- ~~Does not meet~~ Approaches the standard

Section 3. Financial Plan

- Does not meet the standard

Section 4. Performance Record

- Meets the standard

Section 5. Evidence of Capacity

- ~~Does not meet~~ Approaches the standard

Education Program Design

Analysis

The Education Plan partially met criteria for approval because the application presented compelling research-based evidence for selecting the proposed curriculum and the mission statement is clear and accompanied by a statement of philosophy; however, some areas require additional information, as the narrative provided does not go into sufficient detail. ~~For example, no information was included on how the school would handle the coming and going of students that is likely to be part of the setting, and little information on how internship opportunities would be found and managed.~~ Additionally, the school needs to specify how it would honor commitments to students under IDEA.

The applicant's belief that all students have strengths, and that the proposed school will work with students to develop social and interpersonal as well as academic skills, is commendable. The school appeared to have solid plans for the use of professional learning communities and intends to tie professional development closely to academic initiatives at the school. The intended early adoption of Common Core is also a strength. The management plan documenting how the school would monitor its success in meeting student achievement goals was concrete and a welcome addition to the application.

The Capacity Interview clarified that the school would be open enrollment and that the Committee may pursue enrollment preferences allowed under law for schools dedicated to serving at-risk students.

Technical Revisions

The goals included in the application narrative appeared appropriate; however, additional goals would be necessary to generate a well-rounded understanding of the school's performance. Given the student population the Sterling North campus hopes to serve, it may also be wise to include goals specific to the needs of adjudicated youth and students simultaneously attending a treatment program. **[No changes to goals included in the resubmission]**

~~Additional detail with regard to how the academic program would look and feel to students and staff would have been helpful. For example, how would the Sterling North program interact with the educational program available (at the treatment center) for California residents? How would the half-time school director manage his/her hours at the school? During times when teachers are alone, what would be the protocol for handling discipline and other incidents that may arise?~~

~~The instructional strategies listed in the application are all appropriate and supported by citations. However, the narratives were generally brief, making it difficult to determine how fully the applicants' understand their selected methods.~~

The school calendar set forth is extremely rigorous and offers few days off from classes with little explanation of why this would work for staff and students without causing burnout. The rigorous calendar seems better suited to a residential treatment program than an open enrollment public school,

and indeed seems intended to discourage open enrollment by pupils other than those traditionally served by ROP.

[Calendar changed to a 220 day extended year calendar. One week off after each quarter would be followed, but students failing would be encouraged to stay at school during that week for extra tutoring.]

There was language about the program being open to other students, but it was unclear how anyone other than a resident of ROP could realistically enroll in the school. There was reference to exclusionary criteria in the “referral” process – was this referral to the treatment facility or the school?

[New language indicates that average length of stay in the treatment facility is one year. New language also indicates that the school would interview candidates to determine eligibility. School indicates it will be for “at-risk” population, but the lottery system requires revision.]

Section A.8 Special Student Populations requires revision.

~~Required Element A.8.1 – In section A.3, mention was given for the school’s educational plan for your ELL and Special Education students, but in section A.8.1 pages 25 and 26/50, these plans were not included nor educational plans for GT or Special Needs students (e.g. 504 students, students who do not qualify for Special Education, etc.) were provided. There was slight mention of GT on page 27/50 in section A.8. Please describe your educational plan for each of these special populations of students.~~

[The assessment information about ELL students’ needs to be updated with the information from our new WIDA vendor for the state of Nevada.]

~~Required Element A.8.2, page 26/50, A.8.2 – Concern over how much collaboration and consultation from special education staff on Tier 2 to help with small group or individual instruction. Students in Tier 1, 2, and 3 shouldn’t be in Special Education yet. The purpose of the RTI model is to intervene with struggling students and if interventions are not successful, then referring a student for a Special Education evaluation would be appropriate at this time. Once a student is made eligible, then their IEP drives their curriculum not the RTI process. Shouldn’t your special education teacher be working with your identified special education students who are on an IEP? This reviewer doesn’t think that this committee to form understands the RTI process and this is a serious flaw in your education plan.~~

Required Element A.8.3 and Section C.1, 5th page in from beginning of this section – Column 4 lists \$3,456 for Restricted Grants-in-Aid Direct and \$27,513 under Restricted Grants-in-Aid Fed. Govnt pass-thru the State; please state which Federal Grants you are referring to? Additionally, no Special Education student transportation budget was provided. This must exist in case a student’s IEP states that transportation will be provided or parent reimbursed. If funds are not utilized, they can roll over from year to year in case this need ever arises.

[The resubmitted application mentions in C.4. narrative page 58, that you will work with Special Education students’ parents on transportation options, if IEP deems necessary, but no mention in C.1. attachment budget or narrative that funds have been budgeted.]

Required Element A.8.4, page 26/50 – ~~Your committee clearly does not understand what a Special Education continuum of services model is or looks like. The RTI process is NOT a Special Education continuum of services. Please revise.~~

[Please be advised that your Psychologist that assesses and works with your Special Education students MUST hold a current Nevada School Psychologist license.]

Attachment A.8.6 – ~~You mention that your school would utilize the Response to Intervention Referral Packet provided in the SPCSA's Application Appendix. This is fine, but you should have included the packet and made it your own by making sure that each page was applicable to your school and students. Just stating that you are going to use it is not enough. Please provide "your school's" RTI referral packet. (Note: The flowchart provided was perfect. Don't change it.)~~

Attachment A.8.7 – ~~A clear explanation of your school's proposed Special Education continuum of service delivery model was not provided. Rather an explanation of who would attend IEP meetings, procedures for an initial evaluation, updating IEP's, record keeping rules, etc... Please provide a clear explanation of your proposed school's Special Education continuum of service delivery model. An example was provided in the SPCSA's new charter school application in Appendix 4, page 83. Please use this as a guide if needed.~~

Operations Plan

Analysis

The Operation Plan as stated in the application did not meet criteria for approval. The Capacity Interview failed to resolve concerns of the Review Team. Further thought and planning as well as involvement of other agencies, some of which are outside of Nevada, is needed before this application may be recommended for approval.

It is unclear how Rite of Passage Charter High School, a charter school sponsored by the El Dorado County Office of Education (California), and the proposed Sterling Charter High School North would interact. It was noted that the two schools would share the same facility that is currently provided by Rite of Passage, the proposed EMO. The Capacity Interview made clear that the certificated teachers in the Rite of Passage Charter School are California credentialed and employees of El Dorado County Office of Education.

The relationship(s) between Rite of Passage (the EMO), Rite of Passage Charter High School, El Dorado County Office of Education, and the proposed Sterling Charter High School require deep exploration and the Review Team did not feel confident that the proposed plan sufficiently addresses the many questions raised by the plan. Additionally, the proposed relationship between the EMO – Rite of Passage and Sterling North contains provisions prohibited by NAC 386.405 and 386.407 and requires material revision.

Technical Revisions

Committee must review applicable NAC and NRS and renegotiate the contract with ROP, the EMO.

- “Administrators, teachers and staff will all be employees of the EMO.” This is not only discouraged by the SPCSA, it violates NAC 386.407. It also suggests excessive control of the school by the EMO.

[Applicant clarified in the resubmission a staffing plan that includes: .5FTE School Director (EMO), 1.0 FTE Behavioral Mentors (EMO), and 2.0 FTE Teachers (Board).]

~~The application states that the EMO would hire the director and staff. This leads to questions regarding what (if any) role the board would have in the selection and evaluation of the director, as well as what role the director would have in the hiring of staff.~~

The application stated that the cost of key administrative positions (Director, Director of Education, and Curriculum Director) was not included in the operating budget and would be paid for by the EMO. Exactly how would this work?

[Costs associated with School Director, Director of Education, and Curriculum Director is included in the 10% management fee]

~~The qualifications for the school director do not include any academic credentials.~~

The proposed lottery method conflicts with the method recommended by the SPCSA. It's noted the school is primarily for "at-risk" pupils. The Committee may want to review NRS 386.580 which outlines the lottery exemptions for charter schools serving "at-risk" youth.

[The lottery method on page 41 of 58 is insufficient. The model statement developed by the Authority requires "customization" that was not provided by the applicant.]

~~Please clarify if ROP is the legal guardian of all the students enrolled at Sterling. Does this only apply to those students attending upon referral?~~

Two licensed teachers to cover all core subjects including PE and other elective courses which appear to be CTE courses—not sure this is possible.

[The Review Team has concerns with this staffing plan. It is possible for Sterling to find two teachers with the appropriate endorsements to cover all areas (i.e., endorsements in Physical Science, Biological Science, Mathematics, English, Social Studies, and Special Education). However, the two teachers would have to potentially teach eight different preps and help cover the elective courses. The daily schedule is 7am to 5pm 220 days out of the year.]

~~Bylaws require revision:~~

- ~~• All school documents should specifically identify the Sterling Charter Schools as either "Northern Nevada" or "Southern Nevada." The two proposed Sterling charter schools would be separate and distinct, and must be separately identified and named.~~
- ~~• Art. 3.2, 3.3: It's not clear why 8 members, then 7, were discussed. There were only 6 members on the Committee to Form the School.~~
- ~~• Art. 3.3(c): The school would be "located" in one county only.~~
- ~~• Art. 3.3(e): That members could serve for 14 years is problematic.~~
- ~~• Art 3.3(g): Clarify that at least one parent would be a voting member of the board. Two "ex-officio" parent positions are proposed.~~
- ~~• Art. 3.4: Identify the month.~~
- ~~• Stipulation 10 was inadequately addressed by Art. 3.8.~~
- ~~• Stipulation 15 should be addressed in the bylaws rather than in the application.~~
- ~~• Art. 6: The NRS 386.549 parent position must be filled at the time the board forms, not within "6 months." A parent who at least intends to enroll their child in the school must be on the Committee to Form the School and the board.~~

~~There was a description of pay increases for performance, but no description how performance would be measured.~~

Further development and clear descriptions of how the various entities (ROP, EDCO, Sterling North) would interact is necessary.

[Rite of Passage (the EMO) will provide Educational, Professional, Administrative, and Advisory services, as outlined in the management agreement, to Sterling North Charter High School. The Rite of Passage Adolescent Treatment Centers and Schools will donate classroom space and behavioral mentors to Sterling North Charter High School. EDCO submitted a letter of support indicating "...EDCOE is confident that a separation can and will be maintained."]

Sterling North Charter High Schools proposes to co-locate with Rite of Passage Charter High School in the ROPATCS facility.]

Financial Plan

Analysis

The Financial Plan does not meet the criteria for approval because the plan contained provisions prohibited by state regulation. Significant revisions to the financial plan are required that have the potential to significantly impact the proposed budget.

The Review Team concluded that it was difficult, if not impossible to review the proposed Financial Plan without clarity on how the revenue and cost centers of the school would be affected by the relationship between the proposed Sterling Charter High School South, Rite of Passage Charter High School, and Rite of Passage. It is suggested that this section be modified in future resubmissions (if applicable) once formal relationships are identified between the entities involved.

Technical Revisions

~~Cash flow statements (CFS) made an unrealistic assumption that all revenue and expenditures would occur evenly throughout 12 months. No expenditures were included on the CFS for rent, utilities or textbooks.~~

[MOU between ROPATCS and Sterling North indicates all necessary educational and classroom space will be donated to Sterling North.]

~~Insurance stated in cash flow was \$4,000. Insurance quote received was \$14,376.~~

The beginning cash balance in year 2 was, with no explanation, \$72 less than year 1's ending balance.

[The correct amount is included in year 2, but s/b shown in year 2 at the bottom in "Beginning Cash Balance", not in the top Revenue section as "Opening Balance."]

[Both CFSs are labeled 2012-13]

Budget shortfall contingency plans included securing loans from a bank or the EMO, applying for federal grants (which appear to duplicate what is already in the budget) and private grants, fundraising and renegotiating leases and contracts.

[Year 2 funding is dependent on receipt of significant amounts of federal Title 1 & IDEA grants. Failure to obtain the amounts budgeted could make the proposed school financially unrealistic.]

~~The person responsible for all finances would be the CFO of the EMO.~~

~~Outside Revenue was not calculated into the DSA or included in cash flow projections. Because of the many other errors and inconsistencies in the CFS, it was uncertain whether the additional revenue would result in a positive or negative cash balance.~~

It was unclear how the school can operate on the budget presented.

Per the Cash Flow Statements, the viability of the proposed school's finances remains questionable with no expenditures budgeted for rent, utilities or textbooks, the inclusion of which would almost certainly cost more than projected available cash.

~~There were set percentages for raises if teacher performance met certain criteria. While this provides incentives for high teacher performance, it may also require/incentivize administration to mark teachers down to ensure a balanced budget. How would this work? Would the percentages listed change from year to year in response to budget needs?~~

~~The financial plan contained major leaps of faith, including the anticipation of a free facility. While this may be possible given the school's size and intended location, no letter of intent from the partner organization was included.~~

Staffing costs do not seem competitive given the lengthy school year, long hours, and few holidays.

~~SPCSA fee and insurance were addressed in Attachment C.1.2; PowerSchool was not found there.~~

The application budgets for 2 FTE teachers, one being a special education teacher. The other "regular education" FTE would need to meet all the needs of 24 grade 9-12 pupils while complying with teacher licensing requirements.

[The Review Team is concerned with the staffing plan and budget allocation of one instructional FTE entirely to Special Education.]

An EMO employee would be the person to draw orders for the payment of the school's money. This is discouraged by the SPCSA and is an indication of the board's lack of independence from the EMO.

[The person to draw orders for the payment of the school's money will be the EMO CFO. It is unclear why Ms. Johnson wouldn't serve in this capacity as she was specifically recruited for her capacity in finance and accounting.]

~~Remove references to Orleans Parish.~~

[In conclusion, the tentative, unproven nature of hoped-for funding and in-kind donations for educational space, curriculum, utilities, etc. would leave this school highly exposed to any changes in plans from third parties and unable to function financially.]

Performance Record

Analysis

The contract contained within the application appears free of any of the prohibited provisions as specified in NRS 386.562. However, the contract does violate NAC 386.405 which limits the initial term of the contract to two years and prohibits automatic renewal.

Rite of Passage is a national provider of programs for troubled and at-risk youth who are referred to Rite of Passage from social services, welfare agencies, and juvenile courts. This organization manages a wide-range of services which include community-based services, day schools, academic-model facilities, and gender specific treatment and secure facilities. Most of the youth referred to Rite of Passage are admitted to secure treatment or residential programs managed by Rite of Passage; however, Rite of Passage has created partnerships with various educational entities enabling youth at their treatment/residential facilities to graduate from high school. Rite of Passage currently contracts with four academies in four states and provide a number of services including academic support--Ridge View Academy in Colorado, Canyon State Academy in Arizona, Silver Oak Academy in Maryland, and Rite of Passage Charter High School in California.

Although most of the Rite of Passage "schools" are private residential facilities, the Rite of Passage Charter High School in California is considered a charter school which met their 2011 growth targets for all student level and subgroup level, meaning that their growth index exceeded the mandatory 5% improvement. Ridge View Academy in Colorado is considered an alternative school and was recognized as one of the highest achieving alternative schools by the Denver Public School District. Ridge View Academy also reported 77.3% of its 2011 exiting students as enrolled, enlisted, or employed within the first year of leaving the Ridge View Academy program.

Crescent Leadership Academy is a charter school contracting with Rite of Passage that received approval by the Louisiana Department of Education in fall 2011. There are no outcome results to report from this new school.

Based on information provided in the application and the Authority's due diligence, the operational, educational, and financial success of Rite of Passage is compelling and noteworthy. Additionally, the Authority's due diligence indicates that Rite of Passage has scaled up (added schools) successfully without adversely impacting its existing client schools.

Technical Revisions

None, see above.

Evidence of Capacity

Analysis

The Evidence of Capacity did not meet the criteria for approval because the application fails to provide a coherent delineation of the roles and responsibilities between the school's governing board, management and the EMO.

The Committee to Form Sterling Charter High School South represents a diverse array of skill sets that would serve the school well if actively engaged. ~~However, the Committee does not currently comply with the required composition as specified in NRS 386.520. A review of the law and self-assessment of compliance is necessary to identify required changes to the Committee's composition.~~

In the Capacity Interview, the Committee conveyed a deep commitment to serving Sterling's target population; however, the Committee's understanding of its role in the proposed school's governance is built upon a proposed relationship between Rite of Passage and Sterling that does not materially comply with regulation. The Committee is encouraged to continuously evaluate its own capacity to serve the school well as the application is amended to clarify the relationships between the various entities as well as the proposed contractual relationship between the school and EMO – Rite of Passage.

Technical Revisions

The school would contract with Rite of Passage (ROP) as an EMO. A number of relationships between members of the Committee to Form the School (CTF) and ROP may impair objectivity by the CTF. ~~Please clarify whether Blose and/or Lancaster are current employees of ROP.~~

~~Only two of Reynolds' answers to the Request for Information were found; only eight of Wicks' answers were found; Blose neglected to answer several questions.~~

The relationships between several CTF members and the proposed EMO, combined with a lack of prior board experience would likely result in an inability of the CTF to act independently of the EMO.

[The addition of Ms. Johnson will bolster the Committee's capacity for financial oversight]

~~The parent and community member involvement on the board was discussed as non-voting (though by law the board would need to have at least one voting parent member). In addition, the board appeared to have come together at the EMO's behest. Coupled with the fact that Rite of Passage staff was involved in the crafting of the application, it was unclear whether the board fully understands the school's mission/vision/etc., and would be prepared to hold the EMO accountable if necessary.~~

STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

**S U B J E C T: Approval of New America
School's request for an extension of Subsection 7
per NAC 386.240(1)**

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x/ </u>	Action

MEETING DATE: January 8, 2013

AGENDA ITEM: 16

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Tom McCormack, Education Program Professional, SPCSA

RECOMMENDATION:

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 5 mins

BACKGROUND:

SUBMITTED BY: _____

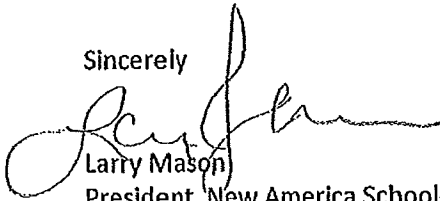
Kathleen Conaboy
Chair, Nevada State Public Charter School Authority

On behalf of the Governing Body of the New America School, I wish to request an extension (pursuant to NAC 386.240(1)) of the New America School-Las Vegas subsection 7 charter for one additional fiscal year to expire June 30, 2015.

There are two factors which have impacted our decision to delay opening the school in August 2013 as was our intent. Firstly, we have not found an appropriate facility and with the needed time for the anticipated renovations or tenant improvements to the property, there is not enough lead time to have the facility ready for August 2013. Secondly, we submitted in our application a budget that reflected funds of \$200,000 in each of the planning year and years 1 and 2 in addition to PPOR funding. Unfortunately, we have been unsuccessful to date to secure additional support for the school through local community fundraising.

I trust our rationale for requesting an extension is appropriate for the Authority. If you have any questions please feel free to contact me.

Sincerely

A handwritten signature in black ink, appearing to read 'Larry Mason', written over a printed name and title.

Larry Mason
President, New America School-Las Vegas

STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

**S U B J E C T: Discussion and possible action
identifying future agenda items**

<u> / / </u>	Public Workshop
<u> / / </u>	Public Hearing
<u> / / </u>	Consent Agenda
<u> / / </u>	Regulation Adoption
<u> / / </u>	Approval
<u> / / </u>	Appointments
<u> / x/ </u>	Information
<u> / x / </u>	Action

MEETING DATE: January 8, 2013

AGENDA ITEM: 17

NUMBER OF ENCLOSURE(S): 1

PRESENTER(S): Kathleen Conaboy, Chair, SPCSA

RECOMMENDATION:

FISCAL IMPACT:

BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):

LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 15 mins

BACKGROUND:

SUBMITTED BY: _____